



CRM-M-44305-2025

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-44305-2025

Date of decision: 18.08.2025

BAJRANG BANSAL ALIAS RAMAN**....Petitioner****Versus****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Harpal Singh Sidhu, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G. Punjab.

SUBHAS MEHLA, J (Oral):

1. Petitioner has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.78, dated 01.07.2025, under Sections 21, 25 and 29 of NDPS Act, registered at Police Station Sadar Raikot, District Ludhiana, (Annexure P-1).
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The petitioner has neither been apprehended at spot nor has been named in FIR. The name of the petitioner has surfaced in the disclosure statement made by co-accused.
3. As per the allegations in the FIR, on 01.07.2025 police party headed by ASI Sukhdev Singh was present at Bus Stand Village Talwandi Rai in connection with patrolling and checking of suspected persons, where he received secret information to the effect that accused Paramjit Singh @ Dharma and Jaskaran Singh @ Rahul indulged in sale of heroin in the area of Raikot, are coming on Motorcycle, Splendor Plus, bearing registration No. PB-56-E-5422 (black colour) for selling the heroin from Village Nurpura towards Talwandi Rai. If a nakabandi is held now, they could be



apprehended. On the basis of aforesaid information, law has been set into motion, case was registered, naka was held at disclosed place, both the aforesaid accused were apprehended, polythene envelope was recovered from the headlight of the aforesaid motorcycle, which was found containing heroin and on weighing, the contraband came to be 257 grams.

4. Notice of motion.

5. Mr. Subhash Godara, Addl. A.G. Punjab, accepts notice on behalf of respondent-State. Learned State counsel contended that the petitioner is involved in two other criminal cases of similar nature and one for offence under Section 304-B and 149 of IPC.

6. Heard.

7. The recovery of contraband falls under the category of commercial quantity and the petitioner is a habitual offender. The petitioner is required for custodial interrogation to trace out the source of the supply of narcotics, ergo, he is not entitled to discretionary relief of anticipatory bail as held by Supreme Court in ***“State represented by the C.B.I. Thomas, JJ. Vs. Anil Sharma crl. A No.811 of 1997(Arising out of SLP (Crl.) No.1127 of 1997) D/d 3.9.1997)”*** relevant whereof reads as under:-

“4. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is well ensconced with a favourable order under Section 438 of the Code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person know that he is well protected and



insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible Police Officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring would not conduct themselves as offenders”

8. There is nothing on record to indicate that petitioner is not guilty of the said offence. The acquisition made against him is prime facie well founded. Granting anticipatory bail in matter of such quantity of narcotics would not only impede the on-going investigation but also send a detrimental message undermining the rule of law.

9. Therefore, the custodial interrogation of the petitioner is essential to know the source of contraband and therefore this Court finds no merit in the present petition and the same is dismissed.

(SUBHAS MEHLA)
JUDGE

18.08.2025
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1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No