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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.48954 of 2025
Date of decision: 03.09.2025

Kuldeep Singh ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Mikhail Kad, Advocate,
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
117	28.07.2025	Passiana, District Patiala	20 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS’)

2. As per the allegations, on the evening of 28.07.2025, a secret information was received that the present petitioner along with the co-accused Sonia and Sandeep Kaur were selling sulfa near Village Dakala and were going towards Village Paharpur. Believing the secret

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information to be true, a raiding party was formed. Information was sent for registration of FIR. On reaching at the informed place, one youth was found sitting on a Splendour make motorbike whereas two females were standing next to him. On seeing the police party, one of these females threw a heavy polybag which was held by her in her hand whereas the youth managed to flee in his motorbike while leaving both the females at the spot. They were apprehended. On asking, they disclosed their names as Sonia and Sandeep Kaur. After completion of usual formalities, the polybag was taken into custody and 900 grams of Sulfa wicks were found kept in the polybag. Investigation is still underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which was dismissed by learned Judge Special Court, Patiala vide order dated 08.08.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The disclosure statements suffered by the co-accused qua his involvement are not admissible in the eyes of law. Non commercial quantity of sulfa is alleged to have been recovered from the co-accused. No recovery remains to be effected from him. His custodial interrogation is not required. He is ready to join the investigation. The co-accused have been extended benefit of regular bail. It is, therefore, urged that the petition deserves to be allowed.

4. Notice of motion.

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5. Ms. Ramta Chowdhary, DAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted by her that the custodial interrogation of the petitioner is required for conducting thorough investigation in the matter and for the purpose of ascertaining the source from where the contraband had been arranged by the petitioner. Even otherwise, no exceptional and extraordinary circumstance for grant of pre arrest bail is made out. It is, therefore, urged that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have carried 900 grams of sulfa wicks for the purpose of selling the same to some other person. He had managed to flee whereas the co-accused were apprehended. The allegations against him are serious in nature. The case is at its nascent stage. For conducting proper investigation, the custodial interrogation of the petitioner is required. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. In the present case, no exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove

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shall not be construed as an expression of opinion on the merits of the case.

03.09.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No