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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-56876-2025 (O&M)

Date of decision: 13.11.2025

Ragwinder Singh**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Satnam Singh Gill, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in FIR No. 183 dated 25.08.2025, registered under Section 15(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) and Sections 318(4) and 341(2) of BNS, 2023 (Sections 29 and 27A of the NDPS Act added later on) at Police Station City Pehowa, District Kurukshetra.

2. As per the allegations, on 25.08.2025, on receipt of a secret information to the effect that accused Bachittar Singh and Yadvinder Singh were engaged in the business of sale/purchase of contraband and on that very day also, they had brought poppy husk from the area of Rajasthan and Madhya Pradesh and further that they were going towards Patiala and could be apprehended along with a car bearing registration number PB-11-DK-3803 in which they were carrying the contraband, a raiding party was immediately formed. A barricade was laid at the informed place. Some time thereafter, the

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abovementioned Fortuner car had reached at the spot. Signal was given to the driver to stop but he did not do so and sped the vehicle. The vehicle entered into the main market area of Pehowa and was followed by the police officials. Due to traffic jam, it was stopped. Two persons alighted from the car and started running away. The driver managed to flee but the another person was apprehended and disclosed his name as Bachittar Singh. He also disclosed the name of the other person as Yadvinder Singh. On conducting search, 12 heavy black plastic sacks were found to be kept inside the car, which were containing poppy husk. On weighing the same, they were found to be containing 02 quintals, 30 kgs. and 560 grams of poppy husk including the weight of the bags. Accused Bachittar Singh was formally arrested. The car was taken into custody. On interrogation, accused Bachittar Singh suffered disclosure statement on 26.08.2025, which showed that the number plate of the said car was fake.

3. As per the further allegations, accused Bachittar Singh suffered another disclosure statement on 28.08.2025 to the effect that the present petitioner and co-accused Navjot Singh had given him an amount of Rs. 4 Lakhs to purchase the poppy husk from one Gopal Singh, who was the main supplier of the contraband. Call details record of the cell phones used by the petitioner and accused Bachittar Singh, was collected and it was revealed that they had exchanged 99 calls during the period from 01.08.2025 to 25.08.2025 and the petitioner had also been talking to co-accused Yadvinder Singh. The Whatsapp chat locations were also collected. Investigation also revealed that the petitioner was having bank transactions with accused Gopal Singh, the main supplier of the contraband. Investigation qua the petitioner is still

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underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Kurukshetra but the same had been dismissed, vide order dated 18.09.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement suffered by co-accused which cannot be considered to be admissible in evidence. He was not named in the FIR and has no concern with the recovered contraband. He is ready to join the investigation. No recovery is to be effected from him. No useful purpose would be served by detaining him in custody. Therefore, it is urged that the petition deserves to be allowed.

5. *Per contra*, learned State counsel, while referring to the status report, has vehemently argued that there are serious and specific allegations against the petitioner. He was in close contact with co-accused Bachittar Singh and main supplier Gopal Singh and is involved in the business of narcotics. For conducting thorough and proper investigation in the matter and to complete the nexus between the petitioner and co-accused, the custodial interrogation of the petitioner is must. No exceptional or extraordinary circumstances has been made out in favour of the petitioner for grant of anticipatory bail. It is, thus, argued that the petition is liable to be dismissed.

6. This Court has heard the rival submissions.

7. The petitioner is alleged to have given a sum of Rs. 4 Lakhs to co-accused Bachittar Singh to bring contraband from co-accused Gopal Singh and to supply the same to him. The allegations prima facie show the complicity of

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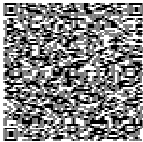


the petitioner in the subject crime as there are call detail records and bank transactions to this effect. The allegations against the petitioner are serious in nature. No sparing or extraordinary circumstance has been made out in his favour for grant of pre-arrest bail. Rather, his custodial interrogation is required for conducting proper investigation in the matter and also for effecting further recovery of the contraband, if any. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. Keeping in view the discussion as made above, this Court is of the considered opinion that no extraordinary or sparing circumstance entitling the petitioner to seek concession of pre-arrest bail has been made out. Accordingly, finding no merit, the petition is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

13.11.2025*Wasim Ansari***(MANISHA BATRA)
JUDGE**

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No