

CRM-M-62522-2025
Date of decision: 10.11.2025

...PETITIONER

V/S

...RESPONDENT

Present: Ms. Shweta Bawa, Advocate and
Mr. Niraj Sinhmar, Advocate for the petitioner.

Mr. Karan Veer Singh, Senior DAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. Present petition is filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.349 dated 02.10.2025 under Sections 20(b)-61-85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') registered at Police Station City Jind.
2. As per the FIR, on 02.10.2025 co-accused, namely, Ravi was found in the possession of 14.600 kgs of *Ganja* wrapped in a plastic sack without any licence or permit in the area of Police Station City Jind. Later on, the petitioner was nominated as an accused in the present case on the basis of disclosure statement made by co-accused, namely, Ravi.
3. Learned counsel for the petitioner contended that petitioner is falsely involved in this case; he has been nominated in the present case on the basis of disclosure statement of co-accused, namely, Ravi from whom 14.600 kgs of *Ganja* was recovered. Disclosure statement is inadmissible in evidence



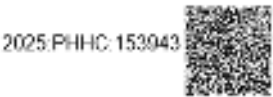
and the petitioner is ready to join investigation. As such, learned counsel prayed for anticipatory bail to the petitioner.

4. Upon advance notice, learned State counsel on instructions from ASI Kamal Deep, opposed the prayer made by the petitioner by submitting that petitioner is neighbourer of the co-accused namely Ravi, from whose possession, the contraband was recovered; co-accused Ravi named the petitioner as supplier of contraband; one more FIR bearing No.164 dated 12.04.2020 under the NDPS Act is registered against the petitioner and he is required for custodial interrogation to know the source of contraband and also to recover the drug money.

5. Heard.

6. Keeping in view the submissions made by learned State counsel that the petitioner is required for custodial interrogation to know the source of contraband and to recover drug money and also considering that the petitioner is involved in other criminal activities under the NDPS Act, he is not entitled to the relief of anticipatory bail, in view of law laid down by the Hon'ble Supreme Court in case titled as '***CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806***' decided on 03.08.1997, wherein it has been held as unders:-

"....custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable 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 informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows 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.”

7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

8. Nothing observed hereinabove shall be construed as an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

November 10, 2025
manisha

(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No