



In the High Court for the States of Punjab and Haryana at
Chandigarh

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CRM-M-67519-2025 (O&M)
Date of Decision:- 15.12.2025

Mohinder Singh @ Bhinder	Versus	... Petitioner
State of Punjab		... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Piyush Sharma, Advocate,
for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant 2nd petition under Section 438 of Cr.P.C. (482 of BNSS, 2023), has been filed for grant of anticipatory bail to the petitioner in case FIR No.30 dated 21.04.2025, registered under Section 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Arif Ke, District Ferozepur.
2. Learned counsel for the petitioner contended that there is a change of circumstance as challan against co-accused has been filed and the allegation qua the petitioner is of drug money. Recovery of contraband has not been effected from the present petitioner. Thus, learned counsel prayed for grant of anticipatory bail to the petitioner as he is ready and willing to join the investigation.
3. Notice of motion.
4. Mr. Anup Singh, AAG, Punjab, puts in appearance as advance copy of petition had been served to respondent-State, and opposes the prayer made by learned counsel for the petitioner by submitting that this is the 2nd



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(2)

anticipatory bail petition and earlier bail petition i.e. CRM-M-35317-2025 was dismissed as withdrawn vide order dated 08.07.2025 as the Court was not inclined to grant him bail. There is no change of circumstances and he is required for custodial interrogation qua his involvement in the drug money recovered from the co-accused. Thus, learned State counsel prayed for dismissal of the present bail petition.

5. Heard.

6. Keeping in view contentions raised by learned counsel for the parties, as there is no change of circumstance; the petitioner is required for custodial interrogation qua his involvement in the drug money recovered from the co-accused. The name of the petitioner is specifically mentioned in the secret information given to the police. The offence alleged pertains to cross-border smuggling of narcotic drugs, which is a matter of grave concern having serious ramifications on public health, social order, and national security. Recovery of drug proceeds from the co-accused lends credence to the prosecution version regarding the illicit trafficking and monetary transactions arising therefrom and involvement of the petitioner in the offence.

7. Hon'ble Apex Court in ***Anarul S.K. Vs. The State of West Bengal, SLP (Crl.) No.12621-2024*** has observed that the grant of anticipatory bail in cases involving Narcotic Drugs and Psychotropic Substances (NDPS) is a very serious issue.

8. Drug abuse is on high rise in India. Hon'ble Supreme Court has also expressed concerns about the substance abuse/drug abuse in **Union of**



India vs. Namdeo Ashruba Nakade arising out of **SLP (Crl) No.9792 of 2025**. Relevant paragraphs of the same are reproduced hereunder:

“8 This Court is of the view that the issue of substance abuse has emerged as a global public health crisis in the twenty-first century, affecting every country worldwide, as drug trafficking and addiction have become pervasive. The United Nations Office on Drugs and Crime (UNODC) reported in its 2025 World Drug Report that "As at 2023, some 316 million people worldwide had used drugs in the past year, representing an increase over the past decade that outpaces population growth, which indicates a higher prevalence of drug use.

9. In India, there has been a concerning increase in drug abuse among the youth. Substance abuse not only affects individuals, families, and communities but also undermines various aspects of health including physical, social, political, cultural foundations, and mental well-being. (See: "Bhattacharya S, Menon GS, Garg S, Grover A, Saleem SM, Kushwaha P. The Lingering menace of drug abuse among the Indian youth - it's time for action. Indian J Community Med 2025;50:59-12, published on 17" April, 2025")

10. According to many news reports, India faces a clear dilemma between tackling the narcotics crisis systematically or sacrificing its most valuable resource i.e. its young people. The extent of menace of drug abuse has also been highlighted by this Court in the case of Ankush Vipin Kapoor v. National Investigation Agency, (2025) 5 SCC 155 wherein this Court has observed as under:

"9.1 The ills of drug abuse seem to be shadowing the length and breadth of our country with the Central and every State Government fighting against the menace of substance abuse. The debilitating impact of drug trade and drug abuse is an immediate and serious concern for India. As the globe grapples with the menace of escalating Substance Use Disorders ("SUD") and an ever accessible drug market, the consequences Leave a generational imprint on public health and even national security. Article 47 of the Constitution makes it a duty of the State to regard the raising of the level of nutrition and the standard of living of its people and the



improvement of public health as among its primary duties and in particular the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health. The State has a responsibility to address the root causes of this predicament and develop effective intervention strategies to ensure that India's younger population, which is particularly vulnerable to substance abuse, is protected and saved from such menace. This is particularly because substance abuse is linked to social problems and can contribute to child maltreatment, spousal violence, and even property crime in a family."

9. The Hon’ble Supreme Court has emphasised the importance of custodial interrogation in case titled as ‘**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806’ decided on 03.08.1997**, by holding that many useful informations and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.
10. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
11. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

15.12.2025
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No