



CRM-M-67862-2025 (O&M) -1-

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

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**CRM-M-67862-2025
Decided on: 03.12.2025**

PRABHJOT SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. H.P.S. Sidhu, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 482 of BNSS, 2023 seeking grant of anticipatory bail in case bearing FIR No.136 dated 23.07.2025, under Sections 22 & 29 of NDPS Act, 1985 registered at Police Station Kot Ise Khan, District Moga.

2. The allegations against the present petitioner are that on 23.07.2025, 45 loose intoxicating tablets were recovered from the polythene thrown by co-accused Mukhtiar Singh Sidhu @ Ekam and 33 loose intoxicating tablets were recovered from the polythene thrown by co-accused Harnek Singh. On the basis of disclosure statement made by co-accused Mukhtiar Singh Sidhu and Harnek Singh, the present petitioner-Prabhjot Singh has been nominated in the present case.



3. Learned counsel for the petitioner contended that the present petitioner was named on the basis of disclosure statement of the co-accused from whom the alleged contraband have been recovered which falls under the category of small quantity and both the petitioners have been enlarged on regular bail by the trial Court.

4. On the other hand, learned counsel for the State, on advance notice, has put in appearance and on instructions from ASI-Surjit Singh submitted that present petitioner is involved in drug trafficking and 03 other cases are already pending against him out of which in two cases, similar type of contraband i.e. tablets containing Alprazolam have been recovered from his possession. As such, he has requested for custodial interrogation to ascertain source of contraband as well as the drug money.

5. Heard and paper book perused.

6. Keeping in view the facts of the present case and the contentions of learned counsel for the State that the present petitioner is involved in 03 other cases of similar nature involving similar type of drug i.e. Alprazolam tablets, he is required for custodial interrogation so as to know the source of contraband and the drug money and in case titled as ***‘CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806’ decided on 03.08.1997***, it has been held as under:-

“....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 information 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 above and considering the involvement of petitioner in multiple cases allegedly in involving similar type of contraband, the present petitioner is not entitled for discretionary relief as prayed for and the present petition is hereby dismissed.

(SUBHAS MEHLA)
JUDGE

03.12.2025
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO