



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

**CRM-M-68920-2025  
Date of decision: 08.12.2025**

**SHANTY SINGH**

**...PETITIONER**

**V/S**

**STATE OF HARYANA**

**...RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. P.S. Jammu, Advocate and  
Mr. R.P.S. Jammu, Advocate and  
Mr. Gaurav Luhani, Advocate  
for the petitioner.

Mr. Karan Veer Singh, Senior DAG, Haryana.

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**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.280 dated 17.11.2025 under Section 21B, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kalanwali, District Sirsa (*wrongly mentioned as District Dabwali*).

2. Briefly facts of the prosecution are that on 17.11.2025, co-accused Satpal Singh @ Satti and Gurvinder Kaur were arrested upon secret information and 06 grams 70 miligrams of Heroin was recovered from the visor of their motorcycle they were travelling on. Thereafter, in their disclosure statements, petitioner's name surfaced, being the supplier of the alleged contraband.

3. Learned counsel for the petitioner contended that the petitioner has been falsely involved in the present case; the contraband recovered from



co-accused is marginally higher than the small quantity; nothing is to be recovered from the petitioner; he has been involved in the present case only on the basis of disclosure statements made by co-accused, namely, Satpal Singh @ Satti and Gurvinder Kaur, which are inadmissible in evidence and he is ready to join the investigation. As such, learned counsel for the petitioner prayed for grant of anticipatory bail to the petitioner.

4. Learned State counsel opposed the prayer made by the petitioner by submitting that there are other FIRs lodged against the petitioner under the NDPS Act; he is required for custodial interrogation for knowing the source of drugs and for recovery of drug money.

5. Heard.

6. Keeping in view the allegation levelled against the petitioner and the fact that intermediate quantity of Heroin has been recovered from co-accused; antecedents of the petitioner are not clean as he is involved in other cases also under the NDPS Act; petitioner was named as supplier of contraband in question; custodial interrogation of the petitioner is required for finding the source of drug and for recovery of drug money, hence, this Court finds no merit in the present petition. As such, discretionary relief of anticipatory bail cannot be granted to the petitioner 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 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 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.           Moreover, Hon'ble the Supreme Court in Anarul SK Vs. The State of West Bengal, SL.P(Crl.) No.12621-2024, decided on 19.09.2024 has observed that the grant of anticipatory bail in cases involving Narcotic Drugs and Psychotropic Substances (NDPS) is a very serious issue.
8.           In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
9.           Nothing observed hereinabove shall be construed to be 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.

December 08, 2025  
manisha

(SUBHAS MEHLA)  
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No