



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

108

CRM-M-2254-2026 (O&M)
Date of Decision:- 16.01.2026

Prikshit Chauhan @ Badal ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Shivam Chaudhary, Advocate,
for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been filed for grant of anticipatory bail to the petitioner in case FIR No.400 dated 01.11.2025, registered under Sections 20(b)(ii)(B) and 29(b) of NDPS Act, at Police Station Bhondsi, District Gurugram, Haryana.
2. Learned counsel for the petitioner contended that 473.2 grams of Charas was recovered from co-accused Monu, which is an intermediate quantity, hence bar of Section 37 of NDPS Act is not attracted; co-accused Monu nominated Aditya, and the petitioner is involved in this case only on the basis of disclosure statement made by co-accused Aditya, which is inadmissible in evidence; except the disclosure statement, no material is available with the prosecution to prove implicity of petitioner in the



CRM-M-2254-2026 (O&M) (2)

commission of offence; there is no other case against the petitioner under NDPS Act, hence, learned counsel prayed for anticipatory bail as the petitioner is ready to join the investigation.

3. Notice of motion.

4. Mr. Ramender Singh Chaudhary, Assistant A.G., Haryana, who is present in the Court accepts notice on behalf of respondent-State and submits that the petitioner has been nominated as supplier of the recovered contraband, and his custodial interrogation is required for recovery of drug money which he received from co-accused Aditya, as well as to know the source of contraband. Learned State counsel contended that the present petitioner does not have clean antecedents as he is involved in one more case under IPC, and he was acquitted in another case wherein he was charged with offences under IPC; however, he fairly admitted that there is no other case against the petitioner under NDPS Act. Hence, prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the allegations levelled against the petitioner and the fact that co-accused named him as supplier of the contraband, which was recovered from co-accused Monu; custodial interrogation of the petitioner is required for recovery of drug money and to identify source of contraband; anticipatory bail cannot be granted to the petitioner. Hence, this Court does not find any merit in the present petition seeking anticipatory bail of the petitioner, as anticipatory bail is a discretionary relief, which can be granted only in extra-ordinary circumstances, only when it would not impede investigation or progress of the case.



CRM-M-2254-2026 (O&M) (3)

7. Hon’ble Supreme Court has emphasised the importance of custodial interrogation in case titled as ‘**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 63806’ 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.
8. Moreover, 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.
9. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
10. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

16.01.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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