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CRM-M-10401-2026

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-10401-2026
Date of decision: 24.03.2026

RAHUL BHATEJA

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Gurmeet Singh Saini, Advocate for the petitioner.

Mr. Amritpal Singh Gill, DAG Punjab.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.0266 dated 22.12.2025 registered under Sections 21, 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on) at Police Station Sadar Jagraon, District Ludhiana (Rural).

2. Brief facts of the present case as per the prosecution are that on 22.12.2025, Inspector Amritpal Singh, along with his fellow police officials on a secret information apprehended Amandeep Singh *alias* Romi, Pawan Kumar and Bachittar Singh who were in a vehicle. On search of the vehicle, 3 Kgs and 72 grams of *Heroin* was recovered underneath the driver's seat. Initially, the FIR in question was registered against the said co-accused persons.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that



said offence. It has also been contended that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by co-accused person Bachittar Singh. No recovery is to be effected from the petitioner. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by learned Judge, Special Court, Ludhiana vide order dated 05.02.2026.

5. On the other hand, learned State counsel has submitted that the costs imposed vide order dated 09.03.2026 has been duly deposited. The receipt thereof submitted by the State is ordered to be taken on record. Learned State counsel has filed the status report and while relying to the same, has opposed the prayer for grant of anticipatory bail, by submitting that the allegations levelled against the petitioner are serious in nature. He argued that commercial quantity of *Heroin* has been recovered from co-accused persons and role of the petitioner is that he is the supplier of the recovered contraband. He submits that the accused persons and the petitioner used to communicate through a *Snapchat* ID and it is further alleged that that the petitioner also provided a .30 bore pistol to the accused persons. He further submits that there are multiple other cases registered against the petitioner meaning thereby he is a habitual offender. He further argued that custodial interrogation of the petitioner is required



to enquire about his role in the drug nexus. Hence, he prays for dismissal of the petition.

6. Heard.

7. In the present case, the allegations against the petitioner are serious in nature. As per the prosecution, the contraband i.e. *Heroin* which was recovered from co-accused persons was supplied to them by the petitioner. Moreover, there are allegations that the petitioner and co-accused persons used to communicate through a Snapchat ID and it has been further alleged that the petitioner has supplied a .30 bore pistol to the co-accused persons. The present petitioner is also alleged to be member of drug nexus and in order to crack the same his custodial interrogation is required.

8. Considering the gravity of the allegations, the custodial interrogation of the petitioner is required for fair and effective investigation in the matter.

9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '***State Vs. Anil Sharma', (1997) 7 SCC 187***, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a



favourable order under Section 438 of the Code. In a case like this, effective interrogation of a 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 offences would not conduct themselves as offenders."

10. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

11. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(RUPINDERJIT CHAHAL)
JUDGE

24.03.2026
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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No