



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

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CRM-M-12517-2026 (O&M)
Date of Decision:- 09.03.2026

Nirmal Singh @ Nimma ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Kamal Narula, 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.09 dated 20.01.2026, registered under Sections 21/29/61/85 of NDPS Act, at Police Station Ghall Khurd, District Ferozepur, Punjab.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case on the basis of disclosure statement of co-accused; except the disclosure statement, which is inadmissible in evidence, there is no material available with the prosecution to prove the complicity of the petitioner in commission of offence, and the contraband i.e. 8.20 grams of heroin recovered from co-accused also fall under intermediate quantity. Thus, learned counsel prayed for grant of



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(2)

anticipatory bail to the petitioner as he is ready and willing to join the investigation.

3. Notice of motion.

4. Mr. Adesh Pal Singh, AAG, Punjab, accepted notice on behalf of respondent-State and opposed the prayer made by learned counsel for the petitioner by submitting that the petitioner is a supplier of recovered contraband and he is involved in two other cases under NDPS Act; recovery of 8.20 grams of 'heroin' was made from co-accused, which falls under intermediate quantity; co-accused Rama Singh, from whose possession contraband was recovered, has named the present petitioner as supplier of said contraband in his disclosure statement. Thus, he prayed for dismissal of the present petition as custodial interrogation of the petitioner is required to know the source of contraband and for effective investigation.

5. Heard.

6. Keeping in view the facts of the present case and contentions of learned counsel for the parties, that 8.20 grams of 'heroin' was recovered, which falls under the inter-mediate quantity; co-accused from whose possession contraband was recovered has named the present petitioner as a supplier of said contraband; petitioner does not have clean and clear antecedents, and is involved in two more cases under NDPS Act, hence, this Court is not inclined to grant of concession of anticipatory bail to the petitioner as custodial interrogation of the petitioner is required to ascertain the source of contraband.

7. With reference to relief of anticipatory bail in cases under N.D.P.S. Act, Hon'ble Apex Court in *Anarul S.K. Vs. The State of West*



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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. Moreover, 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.

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.

09.03.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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