

2026:PHHC:062569



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-15059-2026

Date of decision: 23rd April, 2026

Jagbeer

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 37 dated 28.02.2026 registered under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '*NDPS Act*') (Section 29 of NDPS Act added later on) at Police Station Dujana.

2. As per the allegations, on 28.02.2026, the accused Vipin and Naveen were apprehended and 02 kgs and 10 grams of poppy straw was recovered from the canter in which they were found sitting. The recovered contraband was taken into possession. They were formally arrested. On interrogation, they suffered disclosure statements, on the basis of which the present petitioner was nominated as additional accused on the allegation that he was the registered owner of the canter from which the recovery was

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effected and had transferred an amount of Rs. 5,000/- in the account of co-accused Naveen via UPI for purchasing the contraband. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Jhajjar, vide order dated 07.03.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He is lawful owner of the canter in question which was engaged in transportation of goods pursuant to an assignment/order placed by one Bharat Tans Logistics, on the fateful day. He was not the occupant of the vehicle at the given time and had no knowledge or control over the activities of the driver and conductor, respectively of the canter vehicle. There is no material to connect him with the subject offences. His custodial interrogation is not required. No recovery is to be effected from him. He is ready to join the investigation. His antecedents are clean. It is, therefore, argued that he deserves to be extended benefit of pre-arrest bail.

4. *Per contra*, learned State counsel while relying upon the status report has vehemently argued that there are serious allegations against the petitioner. He was not only the registered owner of the vehicle from which the recovery was effected but also he had transferred an amount of Rs. 5,000/- in the account of the co-accused Naveen at the relevant time for the purpose of purchase of the contraband. His custodial interrogation is required for

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conducting thorough and proper investigation in the matter. There is no exceptional or extra ordinary circumstance for grant of bail. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The petitioner was nominated in this case on the disclosure statement of the co-accused. Admittedly, he is registered owner of the vehicle from which the recovery was effected. The investigation conducted so far has revealed that there was transaction of money between the petitioner and co-accused Naveen at the relevant time. The case is at its nascent stage. For the purpose of conducting thorough investigation in the matter, custodial interrogation of the petitioner is must. Even otherwise, the petitioner has failed to make out any exceptional or extraordinary circumstance making out a case for grant of pre-arrest bail to him. It is well settled that anticipatory bail to an accused can be granted in exceptional circumstances only as a person couched in comparative safety of pre-arrest bail would certainly not disclose all the facts within his knowledge. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. In view of the above discussed facts and circumstances, this Court is not inclined to grant concession of pre-arrest bail to the petitioner. Accordingly, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only

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for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

23rd April, 2026
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |