



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

112

CRM-M-15331-2026 (O&M)
Date of Decision:- 19.03.2026

Sunil ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Karan Jangra, Advocate with
Mr. Raahat Kataria, Advocate,
Mr. Bhavuk Datta, Advocate and
Mr. Anmol Tuteja, Advocate for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of BNSS, 2023 (438 of Cr.P.C.), has been filed for grant of anticipatory bail to the petitioner in case FIR No.40 dated 02.03.2026, registered under Section 21(B) of NDPS Act (Section 27-A of NPDS Act added later on), at Police Station Bhatu Kalan, District Fatehabad.
2. Brief facts of the present case are that co-accused Mohit was apprehended with 8.13 grams of heroin, and he nominated co-accused Sonu as supplier; co-accused Sonu further nominated the present petitioner as supplier of recovered contraband.
3. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case only on the basis of the disclosure statement of a co-accused, which is inadmissible in evidence. It is further contended that apart from the said disclosure statement, there is no

*CRM-M-15331-2026 (O&M)*

(2)

material on record connecting the petitioner with the commission of the alleged offence. Accordingly, learned counsel prayed for the grant of anticipatory bail to the petitioner, submitting that the petitioner is ready and willing to join the investigation.

4. Notice of motion.

5. Mr. Karan Veer Singh, Sr. DAG, Haryana, accepted notice on behalf of respondent-State and upon instructions from ASI Krishan Kumar opposed the prayer made by learned counsel for the petitioner by submitting that the petitioner was actively involved in drug trafficking and is engaged in criminal activities. It is further submitted that the petitioner had been convicted in a case under the NDPS Act, and in appeal, his sentence has been suspended by the competent Court. It is further submitted that custodial interrogation is required to ascertain the source of the contraband and to effect recovery of the drug money amounting to Rs.16,000/-, this Court finds no merit in the present petition

6. Heard.

7. Keeping in view the submissions made by learned counsel for the parties, and the allegations against the petitioner that he supplied the contraband recovered from co-accused Mohit; antecedents of the petitioner are not clear as he is involved in similar offences and already stands convicted in a case under NDPS Act, hence, custodial interrogation of the petitioner is to ascertain the source of the contraband and to effect recovery of the drug money amounting to Rs.16,000/-. In view of the above



CRM-M-15331-2026 (O&M) (3)

circumstances, this Court is not inclined to extend the concession of anticipatory bail to the petitioner.

8. 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. Moreover, Hon’ble Supreme 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 matter to be considered with great caution.

10. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands **dismissed**.

11. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

19.03.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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