



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

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CRM-M-15741-2026 (O&M)
Date of Decision:- 23.03.2026

Shoukeen ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Kuljinder Singh Billing, 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.19 dated 29.01.2026, registered under Sections 21(b)/61 of NDPS Act, at Police Station Sadar Tauru, District Nuh, Haryana.
2. Learned counsel for the petitioner contended that the present petitioner has been falsely implicated in the present case on the basis of disclosure statement of co-accused Rahish Khan, which is inadmissible in evidence; except the disclosure statement, no material is available with the prosecution to prove implicity of petitioner in the commission of offence. The alleged contraband to be supplied by him to the co-accused falls under intermediate quantity i.e. 32.95 grams of 'Heroin'. Thus, learned counsel prayed for grant of anticipatory bail to the petitioner as he is ready and willing to join the investigation.



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(2)

3. Notice of motion.

4. Mr. Karan Veer Singh, Sr. DAG, Haryana, accepted notice on behalf of respondent-State and opposed the prayed made by learned counsel for the petitioner by submitting that there is substantial corroborative and incriminating evidence against the petitioner in the form of 'whatsapp' chat as well as bank account transactions from the account of co-accused's wife to the account of present petitioner; petitioner is also having criminal record as he is involved in one more case of NDPS Act and his custodial interrogation is required for recovery of drug money in lieu of sale of contraband as well as to know the source of contraband. Hence, prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the present case and contentions of learned counsel for the petitioner as well as learned State counsel, allegations levelled against the petitioner that he is a supplier of the 32.95 gms of Heroin, which was recovered from co-accused; 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.

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



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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.

23.03.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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