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CRM-M-16247-2026

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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1. CRM-M-16243-2026

Manic Goyal  
V/s  
Union of India through NCB  
....Petitioner  
....Respondent

2. CRM-M-16247-2026

Konic Goyal  
V/s  
Union of India through NCB  
....Petitioner  
....Respondent

Date of decision: 24.04.2026  
Date of Uploading : 24.04.2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. P.S. Ahluwalia, Senior Advocate with  
Mr. Rahil Mahajan, Advocate for the petitioner  
in both the petitions.  
Mr. Sourabh Goel, Special Public Prosecutor with  
Ms. Deizy Jindal, Ms. Samridhi Jain and Ms. Anju Bansal  
Advocates for the respondent-NCB.

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SUMEET GOEL, J. (Oral)

1. By this common order, the aforesaid two petitions are being  
disposed of together, as they emanate from a common FIR.

For brevity, the facts are being taken from CRM-M-16243-  
2026 titled as *Manic Goyal vs. Union of India through NCB*.

2. Present petition has been filed under Section 482 of the  
Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) for grant of



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anticipatory bail to the petitioner(s), in NCB Crime No.4/2025 dated 07.02.2025, registered under Sections 8, 8-A, 21, 22, 23, 25, 26, 27-A, 27-B, 29 and 60 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’), at Police Station Narcotics Control Bureau, Amritsar Zonal Unit, District Amritsar.

3. The gravamen of the FIR pertains to registration of the FIR by the Narcotics Control Bureau (NCB) who had received specific intelligence input regarding illegal trafficking of narcotic substances by certain individuals operating as part of an organized network. Acting upon the said information, a team of NCB officials conducted surveillance and subsequently intercepted the suspected persons, leading to recovery of a commercial quantity of contraband substance in accordance with law, details, whereof reads thus:

| Sr. No. | Date of Seizure  | Place of Seizure                                                                    | Drug seized                                                                                            |
|---------|------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| 1.      | 07.02.2025       | At Peer Baba Dargaah, Thathiya Near Petrol Pump, Jandiala Tarn Taran Road, Amritsar | 5,000 tablets of Tramadol Hydrochloride                                                                |
| 2.      | 08/09.02.2025    | J R Pharmaceuticals, Plot No. – 27, Sector-7, IIE, Sidcul, Haridwar.                | 16,860 tablets of Tramadol Hydrochloride                                                               |
| 3.      | 09.02.2025       | J R Pharmaceuticals, Plot No. – 27, Sector-7, IIE, Sidcul, Haridwar.                | 187 bottles of Barcadin (with codeine) 100ml and 140 bottles of CSP (with codeine) 100 ml.             |
| 4.      | 15.02.2025       | J R Pharmaceuticals, Plot No. – 27, Sector-7, IIE, Sidcul, Haridwar.                | 80.720 Kgs of Tramadol Hydrochloride loose tablets                                                     |
| 5.      | 17 to 28.02.2025 | J R Pharmaceuticals, Plot No. – 27, Sector-7, IIE, Sidcul, Haridwar.                | 8,89,064 bottles of Codenie Phosphate Cough Syrup 100ml.                                               |
| 6.      | 28.03.2025       | IKON Pharmachem Pvt. Ltd. Selaqui, Dehradun                                         | 240 tablets of Alprazolam and 1560 tablets of Tramadol Hydrochloride                                   |
| 7.      | 29.03.2025       | Shop No. – F27, Transport Nagar, Sewla Kalan, Dehradun, Uttarkhand.                 | 1,24,200 tabelts of Alproazolam                                                                        |
| 8.      | 18 to 20.04.2025 | J R Pharmaceuticals, Plot No. – 27, Sector-7, IIE, Sidcul, Haridwar.                | 11,693 Bottles of Codeine Phosphate Cough Syrup and 2.982 Kgs of White Powder of Tramadol (Suspected). |
| 9.      | 10 to            | IKON Pharmachem                                                                     | 931 packets containing approx. 156,465                                                                 |



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|     |                          |                                                                                    |                                                                                                                                                                                                                                                                                                                                                 |
|-----|--------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | 17.06.2025               | Pvt. Ltd., Selaqui, Dehradun                                                       | bottles of CBCS, approx. 178,9600 tablets of Psychotropic medicine, raw material of 304.94 Kg Tramadol Hcl, 44.47 Kg of Codenie Phosphate, 7.04 Kg Alprazolam and approx 643 Kg raw materials of other psychotropic & narcotics hold in process product                                                                                         |
| 10. | 12.08.2025               | M/s Digital Vision, 176 Mouza Ogli, Nahan Road, Kala-amb, Sirmour, HP              | 1,368 capsules of Tramadol + 16 bottles of Codeine Phosphate Cough syrup                                                                                                                                                                                                                                                                        |
| 11. | 09/ 10.11.2025           | M/s Vellinton Healthcare, Vill-Rampur Jatan, Trilokpur Road, Kala-amb, Sirmour, HP | 50,000 ampoules (2 ml each) 100 mg Tramadol, 5,000 Vials (10 ml each) Midazolam, 12.060 Kg of Tramadol HCL, 0.300 Kg of Midazolam Hydrochloride, 0.980 Kg of Lorazepam, 0.570 Kg of Diazepam, 1.050 Kg of Pentazocine powder                                                                                                                    |
| 12. | 11.10.2025               | M/s Digital Vision, 176 Mouza Ogli, Nahan Road, Kala-amb, Sirmour, HP              |                                                                                                                                                                                                                                                                                                                                                 |
| 13. | 12.11.2025 to 16.11.2025 | M/s Digital Vision, 176 Mouza Ogli, Nahan Road, Kala-amb, Sirmour, HP              | 12 lakhs tablets of NRx/ Psychotropic medicine and 150.62 Kg of NRx/ Psychotropic Raw materials, 23.674 Kg of Dispensed Psychotropic Raw materials, 165.840 Kg of Compressed/ coated Psychotropic Tablets, 271.10 Kg Psychotropic Granules Powder Substance and 573.100 Kg of Tramadol HCL Granules (mixture ready for filing in capsules) bulk |

During the course of the investigation, statements of the apprehended accused persons were recorded under the relevant provisions of the NDPS Act. On the basis of such statements and other material collected, the names of the present petitioners, namely Manic Goyal and Konic Goyal, surfaced. The investigation has revealed that the petitioners were allegedly in contact with the co-accused persons and were connected with the procurement, facilitation and movement of the contraband substance. As per the case of the prosecution, the petitioner(s) formed part of a larger chain engaged in illicit trafficking of narcotic drugs and psychotropic substances. The material collected so far indicates that the petitioner(s) had knowledge of the illegal activities and were actively involved, directly/indirectly, in furtherance of the said operation.

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Investigation is still going on with efforts being made to trace the source, supply network and financial transactions linked to the contraband.

4. Learned senior counsel for the petitioner –Manic Goyal and Konic Goyal has iterated that petitioner(s) have been falsely implicated into the FIR in question as they have no direct or conscious involvement in the alleged offence. Learned senior counsel has further iterated that no recovery of any contraband has been effected from the possession of the petitioner(s) and their implication is solely based on the statements of co-accused persons recorded during the course of investigation, which has no evidentiary value in the eyes of law. Learned senior counsel has further iterated that the firm Digital Vision, whose premises were raided on 12.08.2025 is having GST registration and also registered with Central Bureau of Narcotics, Gwalior. Learned senior counsel has iterated that Health and Family Welfare Department, Himachal Pradesh, Drug Control Administration has also issued manufacturing licences to the said firm, which is valid till 16.06.2028. Learned senior counsel has further iterated that the M/s Digital Vision Firm is a partnership firm wherein petitioner – Manic Goyal is a sleeping partner and has no role in its day to day affairs whereas petitioner Konic Goyal and Mr. Anuj Kumar Singh are the active partners. Learned senior counsel has argued that the NCB team conducted raid on M/s Digital Vision, on 12.08.2025 and M/s Vellinton Healthcare, Kala Amb, on 14.08.2025, and had wrongly seized certain controlled medicines stocks, however, the same were legal stocks as per Drugs and Cosmetics Act, 1940. Learned senior counsel has iterated that M/s Vellinton Healthcare, Kala

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licences till 05.10.2028. Learned senior counsel has argued that the seizure by the NCB from the area of Amritsar and other persons involved in the challan has no connection with M/s Digital Vision, Kala Amb, and even the said firm has not manufactured the product (TREKEM-100). Learned senior counsel has further iterated that till the filing of the challan/complaint, the medicines manufactured by the firm were not involved directly or indirectly in reference to sale or purchase with any co-accused. Learned senior counsel has also argued that the petitioner(s) have provided GST documents, purchase orders of all the three firms with whom M/s Digital Vision had done the business. It has been further contended that the petitioner(s) have not been named in the initial recovery proceedings and their alleged connection has been subsequently introduced without any independent corroborative material. Learned senior counsel has further submitted that there is no material to establish that the petitioner(s) have any knowledge of or participation in the alleged trafficking of narcotic substances. The essential ingredients of conscious possession which are foundational to offences under the NDPS Act, are completely absent in the present case insofar as the petitioner is concerned. It has further been contended that the petitioner(s) are respectable individual with clean antecedents and have never been involved in any criminal activity in the past. It has been further contended that the petitioner(s) are engaged in lawful occupation and are deeply rooted in Society which rule out any possibility of his absconding or tampering with evidence. Learned counsel submits that the petitioner has cooperated with the investigation and undertakes to continue doing so, as

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Section 37 of the NDPS Act, though stringent, are not meant to be applied mechanically and the Court is required to assess whether there exist reasonable grounds for believing that the accused is not guilty of the alleged offence. Moreover, the custodial interrogation of the petitioner(s) is not warranted, as no recovery is to be effected from them and the investigation *qua* them is essentially documentary in nature. Moreover, there is no likelihood of the petitioner(s) absconding from the process of justice or tampering with the prosecution evidence, in case, they are enlarged on pre-arrest bail. On strength of these submissions, the grant of anticipatory bail is entreated for.

5. *Per contra*, learned counsel for the respondent – NCB has filed status report, which are already on record. Raising submissions in tandem with the said replies, learned counsel has opposed the grant of anticipatory bail to the petitioners, namely Manic Goyal and Konic Goyal, in view of the grave and serious nature of the allegations as well as the statutory embargo contained under the NDPS Act. Learned counsel has further iterated that the present case arises out of recovery of commercial quantity of contraband thereby attracting the rigours of Section 37 of the NDPS Act. It has been further contended that the investigation conducted so far has revealed that both the petitioners are part of a larger network engaged in illicit trafficking of narcotic drugs and psychotropic substances. It has been further contended that the role of the petitioners cannot be viewed in isolation as the material collected during the course of investigation *prima facie* establishes their nexus with the co-accused persons and their involvement in facilitating the



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the involvement of the petitioners has surfaced not merely from the statements of co-accused but also from other attending circumstances which indicate their active participation in the alleged offence. Learned counsel for the NCB has further contended that custodial interrogation of both the petitioners is imperative for a fair and effective investigation & to uncover the entire conspiracy, identify other members of the involved and investigate the financial trail linked to the illicit transactions. It has been contended that the grant of anticipatory bail at this stage would seriously prejudice the ongoing investigation and may provide an opportunity to the petitioners to evade the custodial interrogation, tamper with evidence or influence witnesses. In view of the seriousness of the allegations, the nature of the material collected as also the statutory restrictions, it is prayed that the present anticipatory bail petition(s) filed by both the petitioners, namely Manic Goyal and Konic Goyal, be dismissed.

6. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

7. It would be apposite to refer herein to a judgment passed by the Hon'ble Supreme Court in the case titled as ***Sumitha Pradeep vs. Arun Kumar C.K. and another, 2022(4) RCR (Criminal) 977***, relevant whereof reads as under:

*“12. In a case containing such serious allegations, the High Court ought not to have exercised its jurisdiction in granting protection against arrest, as the Investigating Officer deserves freehand to take the investigation to its logical conclusion. It goes without saying that appearance before the Investigating Officer who, has been prevented from subjecting Respondent No.1 to custodial interrogation, can hardly be fruitful to find out the prima facie substance in the allegations, which are of extreme serious in nature.*



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*16. In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.”*

8. As per the case put forth in the FIR in question, the allegations against both the petitioners are grave and specific. Indubitably, both the petitioners are involved in a case, which involved recovery of commercial quantity of contraband. The quantity recovered clearly attracts the rigours of the relevant provisions of Section 37 of the NDPS Act. Insofar as the role of the petitioners, namely Manic Goyal and Konic Goyal, is concerned, the material placed before the Court indicates that their names have surfaced during the course of investigation in connection with the alleged offence. Without delving into a detailed appreciation of the evidence, which would not be appropriate at this stage, it *prima facie* appears that the petitioners were in contact with the co-accused persons and are alleged to have been connected with the activities forming part of the illicit trafficking in question. The plea of the petitioners that no recovery has been effected from their possession and their implication is based upon statements recorded during the course of investigation does not persuade this Court at this stage as their involvement, though emerging at a subsequent stage, is



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supported by material collected during the course of investigation which lends corroboration to the prosecution version. In the considered view of this Court, the veracity of the disclosure statement(s) and the extent of the involvement of the petitioners in the offence, are matter(s) requiring thorough investigation which can be effectively undertaken only through custodial interrogation. However, at this stage, such aspects cannot be examined in depth so as to record any conclusive finding regarding the exact nature or extent of their involvement. The allegations against the petitioners, as emerging from the record, indicate their purported link with the chain of events, which is a matter requiring further investigation. Furthermore, considering the magnitude of the recovery, the possibility of the involvement of the petitioners in organized illegal trade cannot be ruled out at this stage. The grant of anticipatory bail at this stage may hamper effective investigation. The stand of the learned counsel appearing for the NCB before this Court is that in view of the incriminating circumstances, fabricated records, routing of NRX medicines to non-existent entities, large-scale recovery of psychotropic substances from premises in question and evidence against the petitioners of their continued operational control over M/s Digital Vision, the petitioners have been repeatedly called to join the investigation, however, they chose not to cooperate and persistently evaded appearance.

9. Having regard to the nature of accusations and stage of investigation, the Court finds merit in the submissions that grant of anticipatory bail, at this juncture, may impede effective investigation and



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while considering a plea for grant of anticipatory bail, the Court has to equilibrate between protecting individual rights and safeguarding societal interest(s). The extraordinary relief of anticipatory bail is not to be granted as a matter of routine and is reserved for exceptional circumstances where the Court is satisfied that the arrest would be unjustified or motivated. 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.

10. Offences under the NDPS Act, particularly, those involving commercial quantity is treated with heightened seriousness owing to their deleterious effect on public health and societal order. The societal interest in ensuring effective investigation and prosecution of such offences assumes greater significance. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioners. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioners, as it would necessarily cause impediment in effective investigation. In *State v. Anil Sharma [State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039]*, the Supreme Court held as under : (SCC p. 189, para 6)

*“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 informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well*



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*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.”*

11. In view of the seriousness of the allegations, this Court finds no compelling ground to extend the benefit of discretionary relief to the petitioners. Moreover, the custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. Accordingly, both the petitions are devoid of merits and are hereby dismissed.
12. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
13. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)  
JUDGE

April 24, 2026  
Ajay

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |