



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

109

**CRM-M-22956-2026(O&M)
DATE OF DECISION:24.04.2026**

Samual @ Samol

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr. Kamal Narula, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed for grant of anticipatory bail to the petitioner in case FIR No.18 dated 26.01.2026, under Sections 21 and 29 of NDPS Act, 1985, registered at Police Station City Zira, District Ferozepur.

2. Briefly, co-accused Rahul and Bobby were apprehended, and 30 grams of *heroin* was recovered from them. Subsequently, the present petitioner was nominated on the basis of disclosure statement with allegations that the present petitioner has supplied the recovered contraband.

3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case; the petitioner has not been named in the FIR and no recovery is to be effected from him. The petitioner



has been implicated in the present case solely on the basis of disclosure statement, which is inadmissible in the eyes of law; apart from disclosure statement, there is no other evidence to suggest complicity of petitioner; the contraband recovered falls under intermediate quantity, hence rigors of Section 37 of NDPS Act do not apply. Hence, prayer for grant of anticipatory bail to the petitioner is made.

3. Notice of motion.

4. In pursuance of advance notice, Mr. Anup Singh, A.A.G., Punjab, has put in appearance and accepts notice on behalf of respondent/State and submits that the petitioner's name was disclosed by the co-accused, being the supplier of the recovered contraband; further, in the said disclosure statement it is also alleged that the co-accused purchased the contraband @ Rs.1700/- per gram from the petitioner; the petitioner is involved in drug trafficking and is involved in 06 more cases out of which one case is under the NDPS Act; the petitioner is required for custodial interrogation so as to unearth the source of the contraband of the offence and to recover the drug money. Thus, prays for dismissal of present bail petition.

5. Heard.

6. Without commenting on the merits of the case and keeping in view the facts & circumstances of the present case and the contentions raised on behalf of learned counsel for the parties, the petitioner was nominated on the basis of disclosure statement of the co-accused and there are specific



allegations against the present petitioner, being supplier of the alleged contraband; the petitioner is involved in six more cases out of which one is under the NDPS Act, as such, this Court does not find any merit to allow the petition for grant of anticipatory bail to the petitioner.

7. Anticipatory bail is an extraordinary relief, to be granted sparingly, only in exceptional cases deserving of the concession. The grant of such relief becomes even more circumscribed in cases involving serious offences as those alleged in the present case as the Court is required to look beyond the offence in isolation and take into account the surrounding circumstances, including the impact of the crime on society, the likely effect of the grant of anticipatory bail on the societal interest, and the possibility of the accused indulging in similar illegal activities or otherwise impeding a fair investigation or the progress of the trial.

8. The offence of drug peddling or dealing in narcotic substances is not merely a crime against an individual or a simple violation of statutory provisions, but is an offence against society at large. The increasing prevalence of drugs has far-reaching ramifications on the youth, and consequently, on the social fabric. Considering the gravity of the offence and its serious societal repercussions, this Court finds no justification to extend the extraordinary and discretionary relief of anticipatory bail to the petitioner.



9. Moreover, 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 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. (In NDPS cases).
10. In view of the above discussion, the present petition is hereby dismissed.
11. All pending misc. applications, if any, be also disposed of.

24.04.2026
Sonia Puri

(SUBHAS MEHLA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No