

CRM-M-24113-2026

2026:PHHC:074971



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IN THE HIGH COURT OF PUNJAB AND HARYANAAT CHANDIGARH

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Pargat Singh

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: May 13, 2026

Date of Uploading: May 13, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Harpreet Singh Multani, Advocate and
Mr. Vibhor Rana, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') (erstwhile Section 438 Cr.
P.C.) for grant of anticipatory bail to the petitioner, in case bearing FIR
No.0076 dated 28.03.2026, registered for the offences punishable under Section
15 of the NDPS Act, 1985, at Police Station Lehra, District Sangrur.

2. The gravamen of the FIR in question is that secret information
was received to the effect that the petitioner was allegedly transporting a huge
quantity of poppy husk in a vehicle bearing registration No.DL-07-CM-7059,
make XUV 500, and that he could be apprehended. Acting on the said
information, the police party proceeded to the disclosed location, where the

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aforesaid vehicle was spotted approaching. The driver of the vehicle stopped it; however, upon noticing the police party moving towards him, he reversed the vehicle and fled from the spot.

During further investigation, it was found that the said vehicle had entered the house of Rajinder Singh, necessitating a search of the premises. Thereafter, the house of Rajinder Singh was searched, and the aforesaid vehicle was found parked there. Rajinder Singh informed the police party that the vehicle had been parked by Pargat Singh (*petitioner herein*), who is his relative, and that the keys had been kept in the tractor tool kit. Upon searching the vehicle, several bags were recovered, from which 128 kilograms and 660 grams of poppy husk were found and subsequently taken into police possession.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has argued that neither the vehicle from which alleged contraband was recovered nor was the house where the same was found parked belong to the petitioner. Learned counsel has argued that there is no evidence available to connect the petitioner with the offence in question.

3.1. Learned counsel has argued that nothing is to be recovered from the petitioner. Learned counsel has further iterated that the petitioner is ready and willing to join investigation. On the basis of the aforementioned submissions, grant of the instant petition is prayed for.

4. Learned State counsel has filed reply by way of an affidavit dated 08.05.2026, in the Court today, which is taken on record. Raising submissions in tandem with the said reply, learned State counsel has opposed the grant of

anticipatory bail to the petitioner by arguing that allegations raised against the petitioner are serious in nature. Relevant of the aforesaid short reply reads thus:

“12. ROLE OF PETITIONER PARGAT SINGH:

As per the detailed facts already submitted hereinabove, 128 kgs and 660 grams of poppy husk was recovered from the car of the petitioner, bearing No. DL-07CM-7059 make XUV 500 which falls within the ambit of commercial quantity. So, the petitioner is found involved in the drug trafficking. So, a specific role is found to be attributed to the petitioner in the commission of present offence.

13. ANTECEDENTS OF PETITIONER PARGAT SINGH:

Perusal of record revealed that apart from the present FIR, two other FIRs also found to have been registered against the petitioner. Details of these FIRs are given as under:-

Sr. No.	FIR No. date, offence and name of Police Station
1	<i>FIR No. 23 dated 19.03.2020 u/s 61 Excise Act, P.S., Chhajli.</i>
2	<i>FIR No. 114 dated 30.10.2021 u/s 61 Excise Act, P.S., Chhajli.</i>

14. *That as per the detailed facts submitted above, huge recovery of 128 kilogram and 660 grams poppy husk has been recovered from the petitioner/accused, which was carrying by him in his car bearing No. DL-07CM-7059 make XUV 500 and when the said car was intercepted by the police party headed by S.I. Lovedeep Singh, its driver turned it back then the said car was chased by the Police party and same entered in the house of Rajinder Singh son of Ajmer Singh, resident of Narayangarh. Accused Pargat Singh was identified by Rajinder Singh he is his relative and after parking the said car in his house, he went away from there and after keeping the key of car in the tractor tool box parked nearby it. On search of the said car 128 kilogram 660 gram poppy husk was recovered, which falls under the commercial category. So, the involvement of the petitioner in the drug trafficking has been duly proved. Therefore, keeping in view the huge quantity of poppy husk involvement of the petitioner in the drug trafficking, the present petitioner is not entitled for the grant of anticipatory bail. Rather his custodial interrogation is required.”*

4.1. Learned State counsel has further argued that, investigation, in the present case, is still under way and the petitioner is yet to be arrested. Given these circumstances, custodial interrogation of the petitioner is indispensable. Learned State counsel submits that, in case, the petitioner is accorded concession of anticipatory bail, there is all likelihood that he may abscond from the process of justice as also attempt to influence/ intimidate the prosecution

witnesses/evidence. Thus, the present petition is devoid of merit and is liable to be dismissed.

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

6. As per the case put forth in the FIR in question, serious allegations have been leveled against the petitioner. As per the material available on record, a huge commercial quantity i.e. 128 kilograms and 660 grams of poppy husk was recovered from the car bearing No.DL-07CM-7059, make XUV 500, which is owned and possessed by the petitioner. The material available on record clearly establishes the involvement of the petitioner in the commission of the present offence and specifically connects him with drug trafficking activities. Further, the conduct of the petitioner in attempting to flee from the spot and concealing the vehicle in the house of his relative also reflects his conscious involvement in the crime. The petitioner has also been found involved in other FIR(s), thereby indicating his criminal antecedents.

7. The nature and gravity of the offence, coupled with the material collected on record, justify the necessity of custodial interrogation to unravel the larger conspiracy and to identify other potential co-conspirators. The offence committed by the petitioner is a serious in nature, which has a direct adverse impact on society. The material available on record *prima facie* indicates the involvement of the petitioner in the commission of the alleged offence. The petitioner is yet to be arrested and grant of anticipatory bail, at this stage, may hamper the investigation, particularly in view of the need for custodial interrogation to ascertain the source of contraband and possible/potential links with other persons involved in illegal drug trafficking.

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The NDPS Act prescribes stringent provisions keeping in view the menace of narcotic drugs and psychotropic substances.

8. It is befitting to mention here that while considering plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). 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. A profitable reference in this regard is being made to the dicta passed by the Hon'ble Supreme Court titled as ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Supreme Court held as under, relevant whereof reads as under:

“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 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.”

At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to establish a reasonable basis for his accusation. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation.

9. Accordingly, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby **dismissed**.
10. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
11. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

May 13, 2026
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No