



CRM-M-27709 of 2026

-1-

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

111

CRM-M-27709 of 2026

Date of Decision: 18.05.2026

Simarjeet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Sumeetpal Singh Sidhu, Advocate
for the petitioner.

Mr. Jasjit Singh Rattu, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.196 dated 03.09.2025 registered under Section 21-C, 25, 27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Bathinda, District Bathinda.

2. Brief facts of the present case are that on 03.09.2025, ASI Paramjit Singh, along with his fellow police officials was on patrolling duty and on suspicion, apprehended three persons, namely, Satish Kumar, Sanjeev Kumar @ Peetu @ Bini and Jaswinder Singh @ Koki, who were found in conscious possession of 553 grams of heroin. Initially, the FIR in question was registered against the said co-accused persons.

**CRM-M-27709 of 2026****-2-**

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He further submitted that the petitioner was neither named in the FIR, nor was present at the spot and he has no concern with the said offence. It has also been contended that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by co-accused and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. He argued that recovery of alleged contraband has already been effected from the co-accused persons and nothing is to be recovered from the petitioner. Further, co-accused Balwinder Singh @ Monty @ Rocky and Ravinder Singh @ Ravi have already been granted the concession of anticipatory bail/regular bail by this Court, vide orders dated 01.12.2025 and 01.04.2026, respectively. No recovery is to be effected from the petitioner. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation has been initiated and is under way qua the petitioner. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Judge, Special Court, Bathinda, vide order dated 06.04.2026.

5. Notice of motion.

6. Learned State counsel, who has appeared on advance notice of the petition, has opposed the prayer for grant of anticipatory bail, by submitting that the allegations levelled against the petitioner are serious in



CRM-M-27709 of 2026

-3-

nature. He further argued that recovery of alleged contraband in the present case was effected from co-accused Satish Kumar, Sanjeev Kumar @ Peetu @ Bini and Jaswinder Singh @ Koki, which falls under the commercial quantity and as per disclosure statement of co-accused, they had purchased the said contraband from the present petitioner. Relying upon the status report, he further argued that the vehicle from which contraband was recovered, was registered in the name of the present petitioner, which itself shows the involvement of the petitioner in the crime. He further argued that custodial interrogation of the petitioner is required to ascertain the linkages in the business of selling and trading of narcotic drugs. Hence, he prays for dismissal of the petition.

7. Heard.

8. In the present case, the allegations against the petitioner are serious in nature. As per the prosecution, the contraband i.e. heroin which was recovered from co-accused Satish Kumar, Sanjeev Kumar @ Peetu @ Bini and Jaswinder Singh @ Koki was sold to them by the present petitioner. Apart from the disclosure statement, the vehicle from which contraband was recovered, was registered in the name of the present petitioner, which *prima facie* shows the involvement of the petitioner in the crime. The investigation conducted so far indicates involvement of the petitioner in the drug nexus and there appears requirement of deeper probe. There is steady increase of smuggling of illicit drugs in the country. The increasing instances of drug smuggling pose a grave threat not only to the general public but also impacts the youth of the nation. Considering the gravity of the allegations, the custodial interrogation of the petitioner is



CRM-M-27709 of 2026

-4-

required for fair and effective investigation in the matter.

9. It is befitting to mention here that while considering a 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. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma**', (1997) 7 SCC 187, wherein it has been held 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 information 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."

10. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of

CRM-M-27709 of 2026

-5-

the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

11. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

18.05.2026

D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No