

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:090097



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CRM-M-31548-2026 (O&M)
Date of decision:03.07.2026

Rajender

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nonish Kumar, Advocate for the petitioner.

Mr. Gautam Kaile, DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of anticipatory bail in case arising out of FIR No.17, dated 07.01.2026, registered under Sections 22C, 25 and 29 of the NDPS Act, at Police Station Sadar Karnal.

2. As per the allegations, on 07.01.2026, a secret information was received by the police that one Sadiq resident of Saharanpur was coming from U.P. side towards Indri road on a motorbike and was carrying narcotic pills with him. Believing the secret information to be true, a raiding party was formed which reached near new bus stand Indri road and found one youth to be standing there with a bike. On seeing the police officials, he tried to start his motorcycle in panic. He was apprehended. On interrogation, he

disclosed his name as Sadiq. On conducting his search, 470 pills of Buprenorphine were recovered from his conscious possession, which was taken into possession by the police. Accused Sadiq was formally arrested. On interrogation, he suffered a disclosure statement on the basis of which Arif and Sarvan were nominated as co-accused. Accused Arif was arrested on 10.01.2026. He suffered disclosure statement admitting his involvement in the crime. On the basis of the same, his accomplices Sanjay Sharma and Sarvan were nominated as accused and were arrested on 12.01.2026. They too suffered disclosure statements. On the basis of disclosure of Sanjay Sharma, the present petitioner was nominated as accused. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Karnal vide order dated 25.05.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused, which cannot be considered to be legally admissible in evidence. No recovery is to be effected from him. Co-accused Arif, Sanjay Sharma and Sarvan have been extended benefit of bail. The case of the petitioner is even at better footing. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

4. Per contra, learned State counsel while relying upon the status report has argued that the allegations against the petitioner are quite serious in nature. He was the supplier of the narcotic pills to the co-accused. An amount of Rs.10,000/- was transferred by him in the bank account of co-

accused Sanjay Sharma, showing his complicity in the crime. Some photographs of medicines and tablets sent through WhatsApp to the mobile of Sanjay Sharma have also been recovered which show that he was actively involved in the commission of subject offences. For the purpose of conducting thorough and proper investigation in the matter, his custodial interrogation is must. No exceptional or extraordinary circumstance is made out for grant of bail to the petitioner. It is, therefore, stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have been engaged in the supply of intoxicating tablets to the co-accused. The chain of events *prima facie* reflects his complicity in the commission of subject offences which are serious in nature. The recovered intoxicating tablets were of commercial quantity. For the purpose of conducting deeper probe and thorough investigation, his custodial interrogation is required. It is well settled proposition of law that powers for grant of anticipatory bail should be exercised in exceptional and extraordinary circumstances and not in routine manner. No such circumstance, however, has been made out in this case. If the petitioner is given the shield of anticipatory bail that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. The Court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. Accordingly, finding no compelling ground to allow the petition, the same is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

03.07.2026

(MANISHA BATRA)
JUDGE

harjeet

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