

CRM-M-59063-2025 (O&M)

2026:PHHC:023748



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

CRM-M-59063-2025 (O&M)

Parshotam Lal Goyal

....Petitioner

versus

Union of India through Control Bureau, Amritsar Zonal Unit

....Respondent

Date of Decision: February 16, 2026

Date of Uploading: February 17, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. R.S. Rai, Senior Advocate with
Mr. Farhad Kohli, Advocate for the petitioner.

Mr. Sourabh Goel, Special Public Prosecutor, NCB with
Ms. Anju Bansal, Advocate,
Ms. Geetika Sharma, Advocate,
Ms. Himanshi Gautam, advocate,
Ms. Sakshi Gautam, Advocate and
Ms. Samriddhi Jain, Advocate for the respondent – NCB.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail to the petitioner(s), in NCB Crime Case 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

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short ‘NDPS Act’), at Police Station Narcotics Control Bureau, Amritsar Zonal Unit, District Amritsar.

2. As per case setup by the Narcotics Control Bureau, the complaint in question involves recovery of commercial quantity of contraband, details, whereof reads thus:

<i>Sr. No.</i>	<i>Date of Seizure</i>	<i>Place of Seizure</i>	<i>Drug seized</i>
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 17.06.2025	IKON Pharmachem Pvt. Ltd., Selaqui, Dehradun	931 packets containing approx. 156,465 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	

		<i>Road, Kala-amb, Sirmour, HP</i>	
13.	<i>12.11.2025 to 16.11.2025</i>	<i>M/s Digital Vision, 176 Mouza Ogli, Nahan Road, Kala-amb, Sirmour, HP</i>	<i>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</i>

3. Learned senior counsel for the petitioner has iterated that a bare perusal of the FIR itself shows that allegations leveled against the petitioner are concocted, improbable and devoid of any merit. 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 petitioner is no longer partner with the said firm and has no role in its day to day affairs. Learned senior counsel has argued that the NCB team conducted raid at the house of the petitioner, on 12.08.2025, situated in Ambala Cantt, and allegedly seized an amount of Rs.32.45 lacs (cash) along with laptop and 13 files. Learned senior counsel has also iterated that a raid was also conducted 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 Amb is also having valid GST registration as also valid manufacturing licences till 05.10.2028. Learned senior counsel has

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argued that the petitioner was previously partner of Digital Vision, but retired in the year 2022. 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 had provided GST documents, purchase orders of all the three firms with whom M/s Digital Vision had done the business. Learned senior counsel has also argued that the firm has complied with the mandatory provisions of the NDPS Act. Learned senior counsel has argued that the petitioner has no role to play in the present matter, rather has been made a scapegoat at the hands of the Investigating Agency.

3.1. Learned senior counsel has further submitted that custodial interrogation of the petitioner is no longer warranted as nothing incriminating remains to be recovered from them. Moreover, there is no likelihood of the petitioner 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.

4. *Per contra*, learned counsel for the respondent – NCB has filed status report dated 06.11.2025, which is already on record. Raising submissions in tandem with the said reply, learned counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the offence

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committed by the petitioner is serious in nature as pertaining to involvement of commercial quantity under NDPS Act. Learned counsel has argued that at the time of raid conducted on 12.08.2025, the petitioner was found present and had also appended his signatures on the *panchnama*. On the same day, from the house of the petitioner, Rs.32.45 lakhs (cash), a laptop and 13 files containing documents related to M/s Digital Vision was also recovered. He has further argued that as per the available records M/s Digital vision has already supplied 13,79,232 capsules of Tramadol to Tiwari Medical Agencies Dehradun in the year 2024; 9,21,600 capsules of Tramadol to M/s Rama Medicose Jodhpur in the year 2024 and 11,49,120 Capsules of Tramadol and 11,970 bottles of Codeine Phosphate cough syrup 100ml in the year 2024 and 23,01,696 Capsule of Tramadol in the year, 2025 (till June month) to M/s Maa Jagdamba Medicose, Jodhpur Rajasthan. All these three firms were found to be non-existent at the time of their physical verification.

4.1. Further, learned counsel for the respondent – NCB has also filed an additional affidavit dated 08.12.2025, which is also on record. Relevant of the said additional affidavit reads thus:

“The petitioner was admittedly running the pharmaceutical firm namely M/s Digital Vision and while he asserts that he retired as partner in 2022, he has continued to file the GST returns of the firm as its authorized signatory, with the latest return filed on 22.08.2025, wherein he has described himself as partner. Further the petitioner is also the authorized representative of M/s Digital Vision before the Central Bureau of Narcotics (CBN). This unequivocally demonstrates that the petitioner remained in actual control and management of the firm and that the alleged retirement deed is merely a paper formality created to shield him from liability. The petitioner continued filing of statutory returns, an act permissible only for a person exercising operational authority, establishes his ongoing association with the firm, rendering his plea of retirement false, misleading, and an afterthought. The copy of the said form GSTR-3B is annexed as Annexure R-13.

4. *That during further investigation it was unearthed that the petitioner is the owner of the Superlime Building, Village Ogli Nahan Road,*

Kala Amb, Himachal Pradesh and complete building was rented out to M/s Digital Vision (as per the rent deed dated 20.11.2019, Annexure R-14).

It is pertinent to mention here that when the premises of Superlime Building, Village Ogli Nahan Road, Kala Amb, Himachal Pradesh was rented out the petitioner was one of the partner in M/s Digital Vision.

From this very premises commercial quantities of NRX medicines i.e 39,600 tablets of Chlordiazepoxide have been recovered on 11.11.2025. Upon asking it was disclosed that the said tablets belong to one M/s Skincare Creations which is a partnership firm of Konic Goyal and Manic Goyal both sons of the petitioner. Upon asking, the staff of Digital Vision i.e Mr. Rohit Chaudhary had provided the copy of license in the name of M/s Skincare creations. Perusal of the said license no where find mentions the address of Superlime Building from where the recovery was made. One Parvesh Kumar has claimed himself to be the store incharge of Superlime.

It is pertinent to mention here that the premises of Superlime Building, Village Ogli Nahan Road, Kala Amb, Himachal Pradesh no where find mention in any of the licenses issued by the State Drug Controller, Baddi to M/s Digital Vision. The petitioner and his sons are thus clearly and actively involved in the illegal storage and diversion of controlled pharmaceutical substances and is not entitled to any relief of anticipatory bail.

Despite such a massive recovery from a property owned by him, the petitioner has deliberately suppressed these facts and has placed nothing on record to explain or rebut his nexus with the premises from which the contraband has been seized.

Further, investigation has also revealed that Konic and Manic were simultaneously running another business entity from the same premises under the name "Skincare Creations".

The presence of multiple inter-linked business activities operating from the building of the petitioner which he had rented to M/s Digital Vision, coupled with the large-scale recovery of NRx medicines, fortifies the chain of circumstances demonstrating the knowledge, control and continued involvement of the petitioner. The complete silence of the petitioner amounts to deliberate suppression and further undermines the credibility of his defence.

5. *That as mentioned in the status report already filed, when search was conducted on 12.08.2025 at M/s Digital Vision, documents were found of supply made to three firms namely Tiwari medicos, Rama Medicos Jodhpur and Maa Jagdamba Medicos Jodhpur.*

That Maa Jagdamba medicos, to whom substantial quantities were shown to be supplied, was found to be non-existent by the State authorities (Annexure R-4).

It is pertinent to mention here that license of M/s Maa Jagdamba Medicoe was cancelled by the competent authority on 29.11.2024. The copy of the order dated 29.11.2024 canceling the registration of Maa Jagdamba Medicoe is annexed as Annexure-R-15.

6. *That another firm Rama Medicos to whom supply was made by the M/s Digital Vision, was also found not to be non existent at the declare premises. The license to the said firm was issued on*

02.05.2024 and when inspection was made by the competent authority on 21.1.2025, the firm was found to be non-existent.

7. That M/s Tiwari Medical Agencies was similarly found to be non-existent on the ground.

These findings clearly demonstrate that the petitioner was routing psychotropic medicines through fictitious or non-functional entities to mask illegal diversion. The use of such bogus outlets is a hallmark of illicit pharmaceutical diversion and directly implicates the petitioner in offences under the NDPS Act. The petitioner has offered no explanation for these glaring discrepancies.

8. That during investigation it was also unearthed that the monthly reports submitted by M/s Digital Vision to State Drug Controller as well as to CBN (as provided during the investigation) clearly shows that supplies of NRx medicines were being made to "Maa Jagdamba Medicos even after the cancellation in November 2024.

Investigation has conclusively revealed that Maa Jagdamba Medicos is a non-existent entity and its license had already been cancelled.

Submissions to the drug controller thus become incriminating that the supply chain reflected on paper is fabricated and that the controlled substances were never intended for legitimate distribution. The copy of the said Reports for the period January to June 2025 submitted with the State Drug Controller and CBN is annexed as Annexure-R-16 and R-17.

In view of the above incriminating circumstances, fabricated records, routing of NRX medicines to non-existent entities, large-scale recovery of psychotropic substances from premises owned by the petitioner, and evidence of his continued operational control over M/s Digital Vision despite claiming retirement, the petitioner was repeatedly called to join the investigation. However, he chose not to cooperate and persistently evaded appearance.

Owing to his deliberate non-cooperation and absconding conduct, non-bailable warrants (NBW) have been issued against the petitioner by the Competent Court. The issuance of NBWs has a direct consequence of the petitioner's own conduct, further demonstrating his intent to evade the legal process and reinforcing the necessity of custodial interrogation. The copy of the said NBW dated 26.11.2025 for 3.1.2026 is Annexure-R-18."

4.2. Pursuant to the order dated 11.02.2026, learned counsel for the respondent – NCB has filed an affidavit dated 16.02.2026, in the Court today, which is taken on record. In terms of the said affidavit, learned counsel for the respondent – NCB has submitted that provisions of Section 172 of the Cr. P.C./ 192 of the BNSS will not apply to the investigations, as it is not provided in the NDPS Act to maintain any case diary.

6. 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.”

7. As per the case put forth in the FIR in question, the allegations against the petitioner are grave and specific. The petitioner is 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. Considering the magnitude of the recovery, the possibility of the petitioner’s involvement in organized illegal trade cannot be ruled out. Grant of anticipatory bail at this stage may hamper effective investigation. The petitioner has failed to make out any exceptional grounds for the grant of such relief. Learned State counsel has stated 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 owned by the petitioner, and evidence of his continued operational control over M/s Digital Vision despite claiming retirement, the petitioner was repeatedly called to join the investigation, however, he chose not to cooperate and persistently evaded appearance.

7.1. 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 frustrate legitimate investigative efforts.

8. It is befitting to mention here that 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

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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. It is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression.

9. Offences under 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 petitioner. 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 petitioner, 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 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. In view of the seriousness of the allegations, this Court finds no compelling ground to extend the benefit of discretionary relief to the petitioner. 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**.

11. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

12. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

February 16, 2026
mahavir

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