



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(207) CRM-M-60371-2025
DATE OF DECISION: 11.02.2026

Jugraj SinghPetitioner

VERSUS

State of HaryanaRespondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Harpal Singh Sidhu, Advocate, for the petitioner.
Mr. Karan Veer Singh, Sr.DAG, Haryana.

SUBHAS MEHLA, J (ORAL)

1. This is the first petition filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.412 dated 03.09.2024, under Section 21-C of the NDPS Act, 1985 (Section 29 of NDPS Act added lateron), registered at Police Station Civil Line Sirsa, District Sirsa.
2. Learned counsel for the petitioner contended that the petitioner is involved in this case only on the basis of disclosure statement, which is not admissible in evidence, made by co-accused Lakhwinder Singh @ Lakha, who was arrested on 03.09.2024 for keeping 301 gms Heroin in his conscious possession; there is no evidence on record to connect him with the crime; petitioner is having clean antecedents; he is ready to join the investigation, hence, prayer for grant of anticipatory bail to the petitioner is made.
3. In pursuance of advance notice, Mr. Karan Veer Singh, Sr.DAG, Haryana, appeared and on instructions from SI Satbir Singh submitted that co-accused namely Lakhwinder Singh @ Lakha Singh was



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arrested with contraband i.e 301 gms of Heroin, which comes under *commercial quantity* and he disclosed that the petitioner herein had coordinated, linked and organized the procurement of the contraband substance by connecting him with the supplier, thereby enabling the illegal sale and distribution of narcotic substance. It has surfaced during the investigation that the petitioner had introduced the supplier of the contraband to the main accused under the fictitious and fabricated identity of one Lovedeep @ Lucky. During the course of investigation, spot verification was conducted and the statements of Balwant Singh, Member Panchayat and other independent and respectable villagers of the locality were recorded, wherein it has categorically come on record that no person by the name of Lovepreet @ Lucky ever resided at the said address or in that village Bahkagujra Tehsil Jeera (Punjab). This clearly shows that the identity of the said supplier was deliberately concealed and that a deep-rooted and structured supply network exists behind this illegal narcotics transaction, of which the petitioner is an active and operational conduit. Therefore, the custodial interrogation of the petitioner is absolutely necessary for tracing the actual supplier, identifying other members of the syndicate, and to unearth the forward and backward chain of illegal drug trafficking involved in this case. Hence, the present petition deserves to be rejected.

4. Heard.

5. Keeping in view the contentions raised by learned counsel for the petitioner as well as learned State counsel; the allegation levelled against the petitioner, this Court finds no merit in the present petition as commercial



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quantity of Heroin is recovered. It was the petitioner who introduced and facilitated the main supplier of the contraband to the main accused Lakhwinder Singh @ Lakha, by arranging the said supplier under the fake identity of one Lovedeep Singh @ Lucky. As contended by learned State counsel, the petitioner's mobile tower location data are required to be confronted with him in custody to ascertain the precise modus operandi, the money trail and the organized network functioning behind the supply of contraband. Hence, custodial interrogation of the petitioner is required for proper investigation of the case, and anticipatory bail cannot be granted to the petitioner in view of law laid down by the Hon'ble Supreme Court in case titled as '***CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806***' ***decided on 03.08.1997***, wherein it has been held as under:-

"....custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under Section 438 of the code. In a case like this effective interrogation of 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 would not conduct themselves as offenders."



6. Honble 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.
7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
8. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

11.02.2026	(SUBHAS MEHLA)
mamta	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No