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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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CRM-M-65266-2025 (O&M)
Date of decision: 09.02.2026

Dashrath Singh **...Petitioner**

Versus

State of Haryana **...Respondent**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Manjot Kaur, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS'), is for grant of anticipatory bail to the petitioner in FIR No. 93 dated 31.03.2025, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* 'NDPS Act') [Section 29 of the NDPS Act added later on] at Police Station Pehowa, District Kurukshetra.
2. Brief facts relevant for the purpose of disposal of this petition are that on 31.03.2025, on the basis of a secret information, co-accused Lakhwinder Singh @ Lakha was apprehended by a police party by conducting a raid on his house. During search of his house, recovery of 51 kgs. 410 grams of doda post was effected, which was kept in three plastic bags. He was formally arrested. Usual formalities of the investigation were completed. The

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said co-accused suffered disclosure statement admitting his involvement in the subject crime and disclosed that one Gurpreet Singh was also involved with him in sale/purchase of contraband. He was joined into investigation of this case by way of issuance of production warrants as he was already in custody in connection with some other case. He suffered disclosure statement on 27.06.2025 admitting his involvement with co-accused Lakhwinder Singh @ Lakha in the illegal business of contraband. He suffered another disclosure statement on 29.06.2025 disclosing that the present petitioner was also involved with them in the illegal business of contraband. On the basis of the same, the petitioner has been nominated in this case as an additional 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, Kurukshetra, vide order dated 13.11.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement of the above named co-accused Gurpreet Singh, which cannot be considered to be admissible in evidence. In fact, he himself was nominated by co-accused Lakhwinder Singh @ Lakha and had nominated the present petitioner in his second disclosure. The petitioner has clean antecedents. There is nothing on record to connect the petitioner either with the co-accused or with the subject crime. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted concession of anticipatory bail.

4. Status report has been filed by the respondent-State. Learned State

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counsel has argued that keeping in view the gravity of the allegations, the petitioner is not entitled to get benefit of anticipatory bail. For conducting thorough investigation in the matter, his custodial interrogation is must. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner has been nominated as an accused in this case on the basis of the second disclosure statement suffered by co-accused Gurpreet Singh, who himself was nominated by co-accused Lakhwinder Singh @ Lakha. The petitioner is not named in the FIR. He has clean antecedents. There is nothing on record, at this stage, to show that the petitioner was involved in commission of subject crime with the co-accused, except the aforesaid disclosure statement. Hence, it will be a question of debate as to whether the petitioner was involved in the commission of alleged offence or not? In view thereof, his custodial interrogation does not appear to be indispensable for the purpose of further investigation. The petitioner has clean antecedents and has undertaken to join the investigation and cooperate with the investigating agency. In view of the aforesaid facts and circumstances, this Court is of the considered opinion that the petitioner has made out a case for grant of anticipatory bail in his favour. Accordingly, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to his joining the investigation by appearing before the Investigating/Arresting Officer within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction.

7. It is made clear that any observation made herein above is only for

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the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

09.02.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No