

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2026.PHHC.041441



CRM-M-66947-2025 (O&M)

Ankit Gupta

... Petitioner

Versus

State of Punjab

...Respondent

1	The date when the judgment is reserved	10.03.2026
2	The date when the judgment is pronounced	18.03.2026
3	The date when the judgment is uploaded on the website	18.03.2026
4	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment and reasons thereof.	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anil Mehta, Advocate and
Ms. Sukriti Kaur, Advocate for the petitioner

Ms. Ruchika Sabherwal, Sr. DAG, Punjab

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* “BNSS”) for grant of anticipatory bail in case arising out of FIR No.221 dated 18.08.2025 registered under Sections 22, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* “NDPS”) at Police

Station Anti-Narcotics Task Force (ANTF), District ANTF Wing, Ludhiana.

2. The aforementioned FIR was registered on the basis of the statement recorded by ASI Paramjit Singh, Anti-Narcotic Task Force, Ludhiana on 18.08.2025, alleging therein that on receipt of a secret information to the effect that the accused Ramesh Kumar, who was indulged in illicit trade of selling intoxicant tablets since long, was travelling in his silver colour Honda City car bearing registration No.CH-04J-5670 and was coming towards Guru Gobind Singh Nagar for the purpose of supplying intoxicating tablets to his customers, a raiding party was formed which reached at the informed place and laid a barrier. Accused Ramesh Kumar, who came driving the aforementioned vehicle, was stopped. On conducting search, 01 kit bag was recovered from the boot of his car and on opening the same 12,000 intoxicating tablets of Alprazolam and 900 intoxicating tablets of Tramadol Hydrochloride were recovered from the same. Two mobile phones and drug money of Rs.3,600/- were also got recovered from him. He was formally arrested. On interrogation, he suffered disclosure statement on the basis of which, additional accused were nominated and had been subsequently arrested.

3. As per the further allegations, accused Mohammad Hasan had been arrested on 08.12.2025. He suffered disclosure statement on the basis of which Vartika Aggarwal was nominated as additional accused. She was arrested on 07.10.2025. Illicit narcotic medicines were recovered from her pharmaceutical shop namely Shree Lashmi Pharma Medical and Surgical.

One electronic machine of currency counting, drug money of Rs.28,85,000/- and one mobile phone were also recovered from her, apart from other articles. It was revealed that she, in connivance with accused Mohammad Hasan and by using the name and firm of Gautam Pharmaceuticals, had been involved in illicit business of purchase of narcotics and further sale of the same and was an important part of chain of network of drug peddling. On the disclosure of Vartika Aggarwal and Mohammad Hasan, Ajit Singh was nominated as additional accused. He was arrested on 07.10.2025. He disclosed that he used to work for Vartika Aggarwal for sale of illicit tablets and that he had sent a photograph of the box of medicines to the present petitioner after deleting/blackening the bath number as per instructions of Vartika Aggarwal. On his disclosure, the present petitioner was nominated as an accused on 13.10.2025. 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, Ludhiana vide order dated 18.11.2025.

4. 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 co-accused which cannot be considered to be admissible in evidence. His antecedents are clean. He is Sales and Marketing Head of M/s Idhika Lifesciences, Lucknow which is a partnership firm and sister concern of M/s Aarpik Pharmaceuticals Pvt. Ltd., Ahmedabad. He is sought to be involved in this case on the basis of the disclosure statement of co-accused Ajit Singh which is not supported by any independent, corroborative or

substantive evidence. The co-accused Ajit Singh happens to be an employee of M/s Idhika Lifesciences and has been communicating with the petitioner in routine official communications. The revelation made by Ajit Singh has been wrongly interpreted by the Investigating Agency. The alleged calls and exchange of messages between the petitioner and Ajit Singh have no relation with any illicit trade of psychotropic substances between them. The petitioner is in no way connected with the alleged recovery from the co-accused Ramesh Kumar. The existence of telephonic contact between him and Ajit Singh does not establish any criminal intent or conspiracy between them. The seized tablets were lawfully manufactured and sold by his company to a verified dealer namely M/s Shree Lakshmi Pharma Medical and Surgical against proper invoices, bills/e-way bills. The petitioner has no role in manufacturing of any psychotropic substances and his duties are only administrative and supervisory in nature. The tablets recovered from the possession of Ramesh Kumar were not directly sold by him or his colleague, but the same were sold legally to M/s Gautam Pharmaceuticals which is a verified dealer of M/s Aarpik Pharmaceuticals Pvt. Ltd and after observing the Standard Operating Procedure (SOP) for sale of narcotic medicines. There has been proper documentation qua this sale. The subsequent misuse of the tablets by third parties downstream over whom the petitioner had no control, does not attribute any liability to the petitioner. The ingredients for commission of subject offences are not at all attracted qua him. He is ready to join investigation. His custodial

interrogation is not required. No recovery is to be effected from him. It is, thus, urged that the petition deserves to be allowed.

5. *Per contra*, learned State counsel has argued that the allegations against the petitioner are quite serious in nature. The call detail record of cell phone of the petitioner, co-accused Ajit Singh and Vartika Aggarwal, has been collected which shows that they were in contact with each other. The mobile phone of co-accused Ajit Singh, has been recovered at the time of his arrest and a scrutiny of the same has revealed that he had sent one photograph of box of medicines through WhatsApp to the present petitioner. He had disclosed that he had sent the photograph of box on the asking of Vartika Aggarwal to the present petitioner to show as to how the medicines will be illegally sold after deleting the batch number and this fact itself shows the complicity of the petitioner in the commission of the subject offences. He has played an active role in the sale of manufactured pharmaceutical products. The batch number of the narcotic tablets which were sold in an illegal manner has been got deleted in connivance with the co-accused and himself. For the purpose of conducting thorough and proper investigation in the matter, the custodial interrogation of the petitioner is must. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

7. As per the allegations, the petitioner has been nominated as an accused not on the basis of any direct recovery effected from him but

primarily on the strength of disclosure statement made by co-accused Ajit Singh and the alleged exchange of telephonic calls between them. The evidentiary value of such disclosure statements, particularly in the absence of any independent corroboration, would be a matter to be tested during trial. The prosecution seeks to establish his complicity mainly on the basis of call detail records and an alleged exchange of a photograph of a medicine box through WhatsApp. At this stage, such material, without anything more substantial, does not conclusively indicate conscious involvement of the petitioner in the alleged illicit trade, especially when the petitioner has offered an explanation that the dealings, if any, were in the course of routine business transactions. The contention raised on behalf of the petitioner that the pharmaceutical products were sold to a licensed entity against proper documentation and in compliance with the prescribed procedure, also cannot be brushed aside at this stage as he has placed certain documents in this regard. Whether there was any subsequent misuse of such products by downstream purchasers and whether the petitioner had any knowledge or role in such misuse are questions which would require deeper examination during trial. So far as the allegation regarding deletion or blackening of batch numbers is concerned, the same again stems from the disclosure of a co-accused and would require substantive evidence to establish the petitioner's conscious participation in such acts. The petitioner is stated to have clean antecedents and is stated to be engaged in a regular profession. Nothing has been brought on record to suggest that he is likely to abscond or tamper with evidence. The investigation qua documentary

evidence appears to be substantially based on records already in possession of the investigating agency. In the considered opinion of this Court, the custodial interrogation of the petitioner does not appear to be indispensable at this stage. His presence can be secured for the purpose of investigation by imposing appropriate conditions. 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 to him. Accordingly, the present petition is allowed. The petitioner is directed to join investigation within a period of ten days from today by appearing before the Investigating Officer/Arresting Officer or as and when called upon to do so. On doing so, he shall be released on bail on his furnishing personal/surety bonds to the satisfaction of the Investigating Officer. The petitioner shall abide by the conditions as envisaged under Section 482(2) of the BNSS, 2023.

8. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

18.03.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>