



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

109

CRM-M-70228-2025

Date of Decision: 23.02.2026

RAJVEER SINGH @ BEER @ RAJVIR @ RAJBIR SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

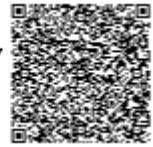
Present: Mr. Lalit Kumar Gupta, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (ORAL)

1. The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short-‘BNSS’) by the petitioner for grant of anticipatory bail in case arising out of FIR No.63 dated 27.08.2021, registered under Sections 22-B and 29 of NDPS Act, 1985 at Police Station S.G.N. Dev Thermal Plant, District Bathinda.

2. As per the allegations, on 27.08.2021, a police party was on duty in connection with an anti-drug drive and was present in the area of Street No.3, Hardev Nagar, Bathinda. One youth was found coming on a motorbike from opposite Street No.3/2 with an envelope hanging on the right handle of the motorcycle. On noticing the police officials, the said youth tried to flee by turning his motorcycle back. However, the motorcycle fell down and the envelope hanging on it got torn. Some strips of tablets fell out of the same. On suspicion, he was apprehended. Upon inquiry, he disclosed his name as Mandeep Singh. After completing the necessary

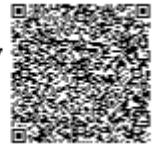


formalities, the envelope was checked and 75 strips of narcotic tablets labelled “Tramadol Prolonged Release”, containing a total of 750 tablets, were recovered and taken into possession by the police along with the motorbike. Accused Mandeep Singh was formally arrested.

3. As per the further allegations, during interrogation, accused Mandeep Singh suffered a disclosure statement on the basis of which Rajesh Verma was nominated as an additional accused and offence under Section 29 of the NDPS Act was added. Accused Rajesh Verma, upon his arrest, suffered a disclosure statement nominating accused Rattan Garg. Accused Rattan Garg, in turn, nominated two more persons namely Geeta Rao and Dharminder Singh as additional accused. Geeta Rao also suffered a disclosure statement on 05.09.2021, disclosing that the recovered contraband had been supplied to her by the present petitioner, who was known to her for a long time. She further disclosed that previously the petitioner had transferred an amount of Rs.80,000/- to her account. On this basis, the petitioner was nominated as an additional accused.

4. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail, which was dismissed by the Court of learned Special Judge, Bathinda, vide order dated 28.11.2025.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in the present case solely on the basis of the disclosure statement allegedly suffered by co-accused Geeta Rao, which is not admissible in evidence. On the basis of the said disclosure statement, GD entry was made by the police on 10.09.2021. However, from the year 2021 till 2025, no notice whatsoever was issued to the petitioner, nor was any effort made to arrest him, despite the fact that his earlier petition for anticipatory bail had been dismissed

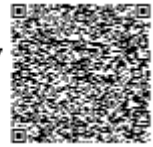


on 28.11.2025, which shows that his custodial interrogation was not required. It is submitted that after filing of the challan on 17.11.2025 against the co-accused, the police is now trying to arrest him without assigning any reason. It is further submitted that his custodial interrogation is not required and no recovery is to be effected from him. The petitioner is ready to join the investigation. Proclamation proceedings had also been initiated against him; however, in pursuance of the order dated 12.12.2025 passed by this Court, the same stand stayed. It is, therefore, urged that the petition deserves to be allowed.

6. Per contra, learned State counsel has argued that the petition is not maintainable, as proclamation had been ordered to be issued against the petitioner vide order dated 12.11.2025 passed by the learned trial Court, and the application seeking anticipatory bail had been filed thereafter. It is further argued that there are serious and specific allegations against the petitioner and, for conducting a thorough and proper investigation and to elicit information regarding the trail leading to the supply of contraband, custodial interrogation of the petitioner is necessary. It is, therefore, contended that the petition deserves to be dismissed.

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

8. So far as the question of maintainability of this petition seeking pre arrest bail is concerned, it is not in dispute that vide order dated 12.11.2025 passed by jurisdictional Magistrate, proclamation was ordered to be issued against the present petitioner for 27.01.2026. The application for grant of anticipatory bail was filed by the petitioner before the Special Court, Bathinda, on 28.11.2025 i.e. after the date of passing of order dated



12.11.2025. However, on account of the fact that proclamation proceedings had been initiated, it cannot be stated that the petition is not maintainable. The Hon'ble Apex Court, in its judgment dated 12.11.2024 passed in Criminal Appeal No.4564 of 2024 arising out of Special Leave Petition (Criminal) No.13123 of 2024, titled as '*Asha Dubey vs. The State of Madhya Pradesh*' had observed that there is no complete embargo to consider an application for grant of anticipatory bail after initiation of proceedings under Section 82 of the Code of Criminal Procedure.

9. Further, the petitioner does not have any criminal antecedents. As per the allegations, the contraband which was recovered from accused Mandeep Singh had been supplied to him by accused Rajesh Verma, to whom it was supplied through co-accused Rattan Garg and Geeta Rao. The petitioner has been nominated on the basis of statement of co-accused Geeta Rao. It is only on thorough assessment of evidence to be produced during trial that any conclusion as to complicity of the petitioner in the commission of subject offences can be drawn.

10. Given the nature of the allegations, circumstances peculiar to the case, this Court is of the considered opinion that no case for pre trial incarceration of the petitioner is made out. As such, the petition is allowed and the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within 10 days from today and thereafter as and when required. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.



11. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

12. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

February 23, 2026
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No