

CRM-M-70979-2025
Date of decision: 14.01.2026

...PETITIONER

STATE OF HARYANA

...RESPONDENT

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Karan Veer Singh, Senior DAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. Through the instant petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is for grant of anticipatory bail to the petitioner in case bearing FIR No.352 dated 27.11.2025 registered under Sections 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (during investigation, Section 27-A of NDPS Act added) at Police Station Bhuna, District Fatehabad.

2. Briefly stated, on 27.11.2025, the police party headed by ASI Prem Kumar, apprehended co-accused, namely, Ravi on the basis of secret information. Upon conducting his search, a polythene containing 6.19 grams of Heroin was recovered. Hence, the FIR was registered. The petitioner was involved in the present FIR on the basis of disclosure statement of co-accused Ravi.

3. Learned counsel for the petitioner contended that there is no financial transaction between the co-accused and the petitioner; the petitioner has been involved in the present case solely on the basis of disclosure



statement of co-accused Ravi, which is inadmissible in evidence. The petitioner is ready to join investigation and co-operate with the investigating agency. As such, learned counsel prayed for grant of anticipatory bail to the petitioner.

4. Learned State counsel appeared on advance notice and opposed the prayer made by the petitioner by submitting that the petitioner has criminal antecedents and he is involved in 07 more cases and he is required for custodial interrogation to know the source of contraband and recovery of Rs.14,000/- drug money. As such, learned State counsel prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the present case as per prosecution the petitioner is supplier of the contraband, recovered from co-accused, Ravi; he is having criminal antecedents and involved in 07 more cases and he is required for custodial interrogation to know the source of contraband for recovery of Rs.14,000/- drug money, and to collect the evidence to support the prosecution case, hence, the petitioner is not entitled to the relief of anticipatory bail 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 the importance of custodial interrogation has been emphasized by holding that many useful informations and concealed materials may be elicited from a suspect in custody, rather than from a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.



6. Moreover, Hon'ble the Supreme Court in Anarul SK Vs. The State of West Bengal, SL.P(Crl.) No.12621-2024, decided on 19.09.2024 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 as 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.

January 14, 2026
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(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No