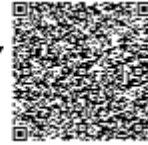


**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

2026:PHHC:029577

**104****CRM-M-72759-2025 (O&M)****Date of decision: 24.02.2026**

Hanuman Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. RPS Jammu, Advocate and
Mr. Simranjot Singh, Advocate for
Mr. P.S. Jammu, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case arising out of FIR No.279, dated 02.07.2025, registered under Section 17-B of the NDPS Act, at Police Station Civil Lines, Sirsa, District Sirsa.

2. As per the allegations, on 02.07.2025, accused Rameshwar was apprehended by a police party on suspicion when he was found coming on a motorcycle and had tried to turn back on seeing the police officials and recovery of 796 grams of opium was effected from his conscious possession. The recovered contraband was taken into possession by the police. The above named accused was formally arrested. On interrogation, he suffered disclosure statement on the basis of which the present petitioner was

nominated as an additional accused on the allegations that he had supplied the recovered contraband to him. 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, Sirsa vide order dated 17.10.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused, which cannot be considered to be admissible in evidence. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that he deserves to be extended the benefit of pre-arrest bail.

4. Per contra, learned State counsel while relying upon the status report has vehemently argued that the allegations against the petitioner are quite serious in nature as he had supplied 1 kg. of opium to the co-accused Rameshwar for a sum of Rs.1 lakh. He is a habitual offender being involved in 07 other cases registered in Rajasthan State, some of which are quite serious in nature. There are chances of his absconding or committing similar offences, if extended benefit of bail. There is no exceptional and extraordinary circumstance warranting exercise of powers for grant of pre-arrest bail in favour of the petitioner, who has criminal antecedents. His custodial interrogation is must for conducting thorough and proper investigation in the matter. It is, therefore, stressed that this petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have supplied 796 grams of opium to co-accused Rameshwar. He was nominated on the basis of disclosure statement of the co-accused. He is a habitual offender and a perusal of status report reveals that he is involved in 02 murder cases and 03 cases of attempt to murder besides other cases. The case is at its nascent stage. For the purpose of eliciting information as to the source of the contraband, the trail of the entire offence and for proper investigation in the matter, custodial interrogation of the petitioner is must. It is well settled proposition of law that powers for grant of anticipatory bail should be exercised in exceptional and extraordinary circumstances and not in routine manner. No such circumstance, however, has been made out in this case. If the petitioner is given the shield of anticipatory bail that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. The Court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. Accordingly, finding no compelling ground to allow the petition, the same is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

24.02.2026

harjeet

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No