



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

**CRM-M-27787-2026 (O&M)
DECIDED ON: 15.05.2026**

SONU

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Sumit Kumar, Advocate
for the petitioner.

MANDEEP PANNU, J (ORAL)

1. This is the first petition under Section 482 BNSS, 2023 (Section 438 Cr.P.C., 1973) for the grant of Anticipatory Bail to the petitioner in case bearing FIR No. 53 dated 19.03.2026 Under Sections 20(b)(ii), and 21(c) of NDPS Act, 1985 registered at Police Station City Narwana, District Jind, Haryana (P-1).

2. Briefly stated, on 15.04.2026, ASI Avtar Singh along with other police officials was present at Vishwakarma Chowk for patrolling and crime detection duty when a secret information was received that Samir and his mother Munni were indulged in the smuggling of heroin and ganja and were present near Mohal Khera Railway Bridge on motorcycle No.HR-32M-2966 for selling the contraband. Acting upon the information, proceedings under Section 42 of the NDPS Act were carried out and the information was



conveyed to the higher officials. Thereafter, the police party reached the spot and apprehended the accused persons. Notices under Section 50 of the NDPS Act were served upon them, and upon their request, a Gazetted Officer namely Sh. Ranvir Singh, Naib Tehsildar, Narwana, was called to the spot. In the search conducted in his presence, no contraband was recovered from the accused persons or the motorcycle. However, upon search of the pithu bag carried by them, 260.60 grams of heroin and 4 kilograms of ganja were recovered. The recovered contraband was sealed and taken into police possession along with the motorcycle. During interrogation, the accused disclosed that the heroin had been purchased from Anil s/o Mange Ram and the ganja from Santosh Devi. On the basis of aforesaid, offences under Sections 20B(ii) and 21-C of NDPS were found to have been committed. Accordingly, the present FIR was registered.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the petitioner has been nominated only on the basis of disclosure statement of the co-accused and is entitled to parity with co-accused Anil, who has already been granted the concession of anticipatory bail by this Court vide order dated 06.05.2026 passed in CRM-M-25587-2026. It has been further contended that nothing has been recovered from the possession of the petitioner as whatever recovery i.e. 260.60 grams of heroin and 04 kgs of ganja, was effected, that was from co-accused persons. He further submits that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer concerned.

4. Notice of motion.



5. On the asking of the Court, Mr. Sushil Bhardwaj, Addl. A.G. Haryana accepts notice on behalf of the respondent-State and has opposed the prayer for grant of bail and submitted that the motorcycle allegedly used by the co-accused persons at the time of occurrence is owned by the present petitioner. Learned State counsel has further contended that the contraband recovered in the present case falls within the category of commercial quantity. He further submits that the petitioner is a habitual offender as he is involved in three more cases under NDPS Act.

6. I have heard learned counsel for the parties and have gone through the record of the case file. Though the petitioner was not apprehended at the spot and no recovery was effected from his conscious possession, yet the material collected during investigation *prima facie* shows that the motorcycle allegedly used by the accused persons at the time of occurrence is owned by the present petitioner. Thus, there exists an additional incriminating circumstance against the petitioner, which distinguishes his case from that of co-accused Anil, who was stated to be involved only on the basis of disclosure statement. The contraband recovered in the present case falls within the category of commercial quantity and, therefore, the rigours of Section 37 of the NDPS Act are clearly attracted.

7. In view of the aforesaid facts and circumstances, and taking into consideration the nature and gravity of allegations, recovery of commercial quantity of contraband, the statutory bar under Section 37 of the NDPS Act, the alleged involvement of the petitioner in other cases under the NDPS Act, as well as the overall material collected during investigation, this Court is of



the considered opinion that no case is made out for grant of anticipatory bail to the petitioner at this stage.

8. Accordingly, the present petition is dismissed.

9. However, it is made clear that nothing stated hereinabove shall be construed as an expression on the merits of the case.

10. All pending miscellaneous application(s), if any, stands disposed of.

15.05.2026

Poonam Negi

(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No