2025:DHC:5298

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Judgment reserved on:02.07.2025*

Judgment pronounced on:07.07.2025

\+ **BAIL APPLN. 4300/2024**

AMIT KHANNA .....Petitioner

Through: Mr. Puneet Budhiraja and Mr. Varun Agarwal, Advocates.

versus

STATE NCT OF DELHI .....Respondent

Through: Mr. Laksh Khanna, APP for State with SI Prashant Kumar.

\+ **BAIL APPLN. 4721/2024**

SATVINDER KAUR .....Petitioner

Through: Mr. Puneet Budhiraja and Mr. Varun Agarwal, Advocates.

versus

STATE NCT OF DELHI .....Respondent

Through: Mr. Laksh Khanna, APP for State with SI Prashant Kumar.

\+ **BAIL APPLN. 405/2025**

TAJINDER KAUR .....Petitioner

Through: Mr. Anuuj Aggarwall, Advocate.

versus

THE STATE GOVT. OF NCT OF DELHI .....Respondent

Through: Mr. Laksh Khanna, APP for State with SI Prashant Kumar.

+ **BAIL APPLN. 525/2025**

MANOJ KUMAR .....Petitioner

Through: Mr. Ravin Rao, Mr. Anuj Arya, MR. Akshit Sawal, Mr. Ayan Sharma, Ms. Yashasvi Yadav and Ms. Jannat Garg, Advocates.

versus

THE STATE (GOVT. OF NCT OF DELHI) .....Respondent

Through: Mr. Laksh Khanna, APP for State with SI Prashant Kumar.

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

COMMON JUDGMENT

GIRISH KATHPALIA, J.:

1. In the case FIR No.142/2024 of PS Prashant Vihar for offences under Sections 22/25/29 of the Narcotic Drugs and Psychotropic Substances Act (hereinafter referred to as "the Act"), the accused Manoj Kumar (*in judicial custody since 27.09.2024*) seeks to be released on Regular Bail, while the remaining accused persons, namely Amit Khanna, Satvinder Kaur and Tajinder Kaur seek Anticipatory Bail. The predecessor benches granted interim protection from arrest to accused Amit Khanna on 25.11.2024 and to remaining two accused on 19.03.2025. The contraband, allegedly recovered from or at the instance of accused/applicants was the

commercial quantity of Buprenorphine, which admittedly is a psychotropic substance.

2. Succinctly stated, the prosecution case is as follows.

2.1 On the night of 25.03.2024, when HC Anshul with Ct.Chetan was engaged in patrolling duty near Tikona Park, Village Rajapur, Rohini Sector-9, New Delhi, at about 01:15am they noticed a person carrying a bag, coming towards them, but on seeing them, that person turned around and started running. On suspicion, the police patrolling staff apprehended that person and on being checked, he was found carrying in his bag few bottles, one paperbox and few syringes. The paperbox had written on it Buprenorphine Injection MI LEEGESIC and the glass bottles had written on them Pheniramine Maleate Injection IP Avil. The apprehended person disclosed his name as Abu Talib. HC Anshul telephonically conveyed the information to the Duty Officer and SHO of PS Prashant Vihar. Upon arrival of the Investigating Officer (IO) on the spot, the apprehended Abu Talib and articles recovered from him were handed over to the IO, who recorded statement of HC Anshul and got the FIR registered. After completion of the statutory formalities under Section 50 of the Act, the IO carried out personal search of Abu Talib, but nothing incriminating was recovered therefrom. The IO converted the recovered articles into cloth parcels and seized the same. The said Abu Talib was interrogated and arrested.

2.2 On interrogation in police custody, Abu Talib informed the IO that he used to buy the contraband injections from one Pawan, who was introduced by one Shahid; and that Pawan used to buy the same from one Vikrant and one Babu @ Manoj. After collecting sufficient evidence, the IO arrested Pawan, and filed chargesheet against Abu Talib and Pawan.

2.3 Continuing the investigation, the IO interrogated Vikrant, who told that he used to purchase the contraband from Manoj @ Babu, Raja Shehzad and Satya Prakash Tiwari. After collecting evidence from mobile phones and the payment history, the IO arrested Vikrant.

2.4 During further investigation, Vikrant led the police team to Humanity Welfare De-addiction Centre in Burari, where they came to know that its Manager, Manoj had already left for home. While the IO was affixing notice under Section 67 of the Act, two boys arrived at the Centre and on seeing police, one of them fled. The boy, who could not flee, disclosed his name as Praveen and stated that he had visited the Centre to buy Adnok tablets or Buprenorphine.

After obtaining the requisite permissions, the IO raided the Humanity Welfare De-addiction Centre, Burari, during which records maintained by the staff, one laptop, one ATM swipe machine, four deodorants with earbuds and 46700 tablets of Buprenorphine were recovered and seized. During the raid, Praveen also demonstrated under videography the manner in which Manoj used to erase the Batch Numbers using the deodorant. During that raid, 18 files related to one NGO Saran and another NGO of Jahangirpuri also were recovered and seized. In the course of analysis, the IO also found forged consent forms of Praveen, Abu Talib, Pawan and Vikrant. The records also contained multiple entries of one patient.

2.5 Thereafter, the web of investigation kept spreading broader and deeper, with more persons arrested and many joined as witnesses, who stated that they used to purchase the contraband from Manoj of Burari, and a Madam and a Don of Jahangirpuri.

2.6 One such accused Sonu, after his arrest took the police party to house of accused Tajinder Kaur, but she was found not at home, so notice under Section 67 the Act was served on her through her daughter. In compliance with notice under Section 67 the Act, accused Manoj joined investigation and told that they used to sell Buprenorphine at higher price on directions of accused Amit Khanna and that the doctors visiting the Centre used to sign prescriptions without there being any patient, for which records used to be prepared by him (*accused Manoj*) on directions of accused Amit Khanna.

2.7 Under court permission, the IO analyzed the seized case property, including the laptop of accused Manoj, pen drives and printouts, from which it was revealed that the entire record was bogus, in the sense that there were more than one Identification Numbers for same patient; entries in the statutory Form No.7 were bogus; although Abu Talib had been arrested on 25.03.2024, but according the records of the deaddiction center, he received Buprenorphine till August 2024 vide Patient Id.No.542. As per the seized records, accused Manoj collected huge amount of money and paid the same to accused Amit Khanna, one of the trustees of the Trust which ran the deaddiction center.

2.8 With the above material, police filed Supplementary Chargesheet against accused Vikrant, Satya Prakash Tiwari, Sonu and Manoj.

2.9 Further investigation revealed that accused Manoj is Manager-cum-Trustee of the NGO, namely Humanity Welfare Trust, at whose office raid was conducted leading to seizure of entire stock of Buprenorphine. It was also revealed that accused Amit Khanna is the mastermind, who, being custodian of the entire stock, used to get profits of illegal sale of the contraband as reflected from accounts of the Trust. It was further revealed that accused Amit Khanna used to purchase Buprenorphine from a company named Rusan Pharma and was running many deaddiction centers illegally, without obtaining requisite permissions from the competent authority. The accused Amit Khanna disclosed during interrogation that through Humanity Welfare Trust, he runs 4 deaddiction centers, out of which 2 (*one being in Jahangirpuri and the other being in Mangolpuri, both named Elegant Clinic*) are in the name of his wife, accused Satvinder Kaur. As regards accused Tajinder Kaur, the investigation revealed that she is working in one of the said deaddiction centers owned by accused Satvinder Kaur and that she sold the contraband to accused Satya Prakash Tiwari.

2.10 Further investigation is continuing.

3. During arguments, both senior counsel for accused persons took me through the abovementioned matrix, including the chargesheets and contended that the accused/applicants deserve the reliefs of anticipatory and regular bails.

3.1 On behalf of accused Manoj, it was argued that except telephonic connectivity between him and accused Satya Pal Tiwari, there is no other evidence against him; and accused Satya Pal Tiwari has already been granted bail. It was also contended that the alleged recovery of contraband was from the deaddiction center and not from accused Manoj. It was contended that role of accused Manoj is only maintenance of records, so it would not be justified to keep him in jail, as he has already suffered incarceration since 27.09.2024.

3.2 On behalf of accused Tajinder Kaur, it was argued that the only role ascribed to her is that she was working as nurse in the Jahangirpuri deaddiction center and there is no evidence to show that she received any money from anyone towards the alleged illegal sale of the contraband.

3.3 On behalf of accused Satvinder Kaur, it was argued that she has been fighting drug menace and her clinic started by appointing two psychiatrists is duly registered with the labour department. It was also argued that accused Satvinder Kaur is innocent, insofar as Buprenorphine was prescribed to the addicts by the doctors, and it is those doctors who are responsible for placing purchase orders, followed by receiving & maintaining the stock. There is no law that clearly mandates registration of OPD psychiatry clinics.

3.4 On behalf of accused Amit Khanna, it was argued that the only clear allegation against him is that he has been running deaddiction centers without registration and from his center, commercial quantity of Buprenorphine was recovered. Learned senior counsel for accused/applicant took me through multiple Status Reports filed by the investigating agency and pointed out that none of those reports specifies any legal provision that mandates registration of the deaddiction centers. It was also argued that Buprenorphine is indisputably a deaddiction drug, which can be prescribed and administered by psychiatrists as well, not just by the deaddiction centers. Learned senior counsel for accused also took me through copies of applications submitted by the accused to various departments of the government, calling upon them to disclose the provision of law dealing with registration, if any required by an NGO/Trust to run a deaddiction center in Delhi and also the responses thereto, pointing out no clear response. With this, the learned senior counsel argued that there being absolutely no clarity on requirement of registration, penal liability cannot be foisted on the accused/applicants for dealing in Buprenorphine.

3.5 As a common argument on behalf of all accused/applicants learned senior counsel took me through the provisions under Sections 8(c), 64, 65A and 66 as well as The Schedule and the Schedule 1 of the Act and contended that Buprenorphine is not a contraband, because it is also covered by the Drugs & Cosmetics Act, and consequently, recovery of Buprenorphine from the deaddiction centers of the accused/applicants is no offence.

4 Per contra, learned prosecutor strongly opposed these applications, laying heavy emphasis on the huge quantity of recovery of Buprenorphine from the deaddiction centers being run by the accused /applicants. Admitting that Buprenorphine is used as medicine for deaddiction therapy, the learned prosecutor contended that this alone cannot be a ground to permit storage of such huge quantity and sale thereof without valid prescriptions.

4.1 Learned prosecutor took me through investigation records to point out fake entries recorded by accused Manoj regarding sale of Buprenorphine, especially the supply entries in the name Abu Talib even during the period he was in judicial custody in the present case.

4.2 Learned prosecutor referred to the account books seized from the premises of the deaddiction centers run by the accused/applicants, and from the same pointed out various payments illegally made to accused Amit Khanna. It was pointed out that the stock almirah was kept in the office of accused Amit Khanna and it is he only, who provided keys of that almirah. It is only accused/applicant Amit Khanna, who according to records dealt with Rusan Pharma for procuring Buprenorphine. It was also argued that the contraband tablets were sold at almost double the price and signatures of patients were forged on the deaddiction consent forms, leading to almost 300% profits.

4.3 Learned prosecutor also pointed out that even the psychiatrists appointed by the deaddiction centers run by accused Satvinder Kaur were part-time employees and had been appointed only to create smokescreen. It was also contended that since process under Section 82 CrPC has already been initiated against accused Satvinder Kaur, she does not deserve anticipatory bail.

4.4 Learned prosecutor also referred to the statement of Sachin Tiwari, supported by screenshot of his phone reflecting purchase of Buprenorphine by him from accused Tajinder Kaur. Since proceedings under Section 82 CrPC have been initiated against her, according to State, accused Tajinder Kaur does not deserve to be granted anticipatory bail.

4.5 To counter the argument that Buprenorphine is not contraband, learned prosecutor referred to the judgment in the case of ***Directorate of Revenue Intelligence vs Raj Kumar Arora & Others***, 2025 SCC OnLine SC 819.

5 It is with the above backdrop that entitlement of accused/applicant Manoj for bail and entitlement of remaining three accused/ applicants for anticipatory bail has to be examined.

6 To begin with, the common argument raised on behalf of all accused persons in these cases that Buprenorphine is not a contraband, and recovery thereof from the deaddiction centers of the accused/ applicants is no offence, stands answered against the accused persons by the Supreme Court in the case of ***Raj Kumar Arora*** (supra). In the said case, the Supreme Court analyzed the question as to "*whether an offence under Section 8(c) of the Act could be said to have been made out when an accused 'deals with' psychotropic substances mentioned in the Schedule to the NDPS Act but not figuring in Schedule I of the Rules thereunder*". After elaborate analysis, the Supreme Court concluded thus:

> "*E. CONCLUSION*
> *156. It cannot be said that the dealing in of "Buprenorphine Hydrochloride" would not amount to an offence under Section 8 of the NDPS Act owing to the fact that the said psychotropic substance only finds mention under the Schedule to the NDPS Act and is not listed under Schedule I of the NDPS Rules. There exists nothing to indicate that Rules 53 and 64 of the NDPS Rules respectively, are the governing rules in their respective Chapters, more so, when the language of the other Rules in Chapters VI and VII respectively, are clear about their application to the substances mentioned under the Schedule to the Act as well.*

> *157.* ***All the psychotropic substances mentioned under the Schedule to the Act have potential grave and harmful consequences to the individual and the society at large, when abused. Some psychotropic substances mentioned under the Schedule to the NDPS Act are also mentioned under the D&C Act and the Rules framed thereunder. This is only because those substances while capable of being abused for their inherent properties could also be used in the field of medicine.*** *However, the mere mention of certain psychotropic substances under the D&C regime would not take them away from the purview of the NDPS Act, if they are also mentioned under the Schedule to the NDPS Act….*"
>
> *(emphasis supplied)*

That being so, the common argument raised on behalf of all accused/applicants that storage or sale of Buprenorphine by them does not amount to any offence deserves to be rejected.

7 As described above, this is not a simple case of the deaddiction centers of the accused/applicants being found in possession of Buprenorphine, which is admittedly a psychotropic substance. This is a case of the accused/applicants being found in possession of commercial quantity of Buprenorphine under the garb of deaddiction centers. This is a case of the accused/applicants being found to fudge their records to show supply/sale of Buprenorphine to fictitious persons; as mentioned above, in the seized documents supply of Buprenorphine stands recorded to Abu Talib even during the period when he was in judicial custody. This is a case of the accused/applicants being found engaged in sale of Buprenorphine at double rates, in order to earn profits to the tune of 300% under the garb of deaddiction. This is a case of the accused/applicants fudging

even the packaging of Buprenorphine by erasing the Batch Numbers using the deodorants.

8 According to prosecution, recovery of the contraband was in the form of 46000 tablets, each containing 2.5mg of Buprenorphine; thence the total recovery of Buprenorphine was about 115grams, while Entry No.169 of the Notification dated 19.10.2001 prescribes 20grams quantity of Buprenorphine as commercial quantity. The contraband Buprenorphine, being admittedly the psychotropic substance vide Entry 92 of the Schedule to the Act and the allegedly recovered quantity being admittedly the commercial quantity, rigors of Section 37 of the Act come into play, so the court has to ascertain satisfaction if there are reasonable grounds for believing that the accused/applicants are not guilty of the alleged offence and are not likely to commit any offence, if granted bail.

9 In the case of ***State of Haryana vs Samarth Kumar***, 2022 SCC OnLine SC 2087, the Supreme Court dealt with challenge to the High Court order granting anticipatory bail on the ground that no recovery was affected from the accused and that the accused had been implicated only on the basis of disclosure statement of main accused, so dictum of *Tofan Singh vs State of Tamil Nadu*, (2021) 4 SCC 1 would come into play. The Supreme Court, holding that the High Court fell into error, observed that advantage of *Tofan Singh* dictum could be extended to the accused at the time of seeking

regular bail or at the stage of final arguments after trial, but not at the stage of anticipatory bail.

10 Further, as mentioned above, proceedings under Section 82 CrPC have already been initiated against the accused/applicants as they opted not to join investigation despite service of notices. That being so, the accused/applicants (*Satvinder Kaur and Tajinder Kaur*) are not entitled to the relief of anticipatory bail. In the case of ***Srikant Upadhyay & Another vs State of Bihar***, 2024 SCC OnLine SC 282, the Supreme Court examined the issue of considering an anticipatory bail application, where the applicant is under proclamation proceedings, and concluded thus:

> *"25. We have already held that the power to grant anticipatory bail is an extraordinary power.* ***Though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule.*** *It cannot be the rule and the question of its grant should be left to the cautious and judicious discretion by the Court depending on the facts and circumstances of each case. While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence. We shall not be understood to have held that the Court shall not pass an interim protection pending consideration of such application as the Section is destined to safeguard the freedom of an individual against unwarranted arrest and we say that such orders shall be passed in eminently fit cases.* ***At any rate, when warrant of arrest or proclamation is issued, the applicant is not entitled to invoke the extraordinary power. Certainly, this will not deprive the power of the Court to grant pre-arrest bail in extreme, exceptional cases in***

> ***the interest of justice. But then, person(s) continuously, defying orders and keep absconding is not entitled to such grant.***"
>
> (*emphasis supplied*)

After traversing through a number of judicial precedents, same principles of law were reiterated by the Supreme Court more recently in the case titled: ***Serious Frauds Investigation Office vs Aditya Sarda***, 2025 INSC 477. The Supreme Court observed: "*It cannot be gainsaid that the judicial time of every court, even of Magistrate's Court is as precious and valuable as that of the High Courts and the Supreme Court. The accused are duty bound to cooperate the trial courts in proceeding further with the cases and bound to remain present in the Court as and when required by the Court. Not allowing the Courts to proceed further with the cases by avoiding execution of summons or warrants, disobeying the orders of the Court, and trying to delay the proceedings by hook or crook, would certainly amount to interfering with and causing obstruction in the administration of justice.*"

11. During arguments, major emphasis of learned senior counsel for accused/applicants was that vide communication dated 28.03.2019 issued by the Directorate of Health Services to the Drug Controllers across the country, Buprenorphine was allowed to be purchased, stored and sold by psychiatrists; and that despite their repeated queries under the RTI Act, no specific information was received by the accused/applicants regarding the legal provision and procedure

under which registration has to be mandatorily got done by a deaddiction center so as to enable it to deal with Buprenorphine, therefore the accused/applicants, who had employed two psychiatrists in their deaddiction centers committed no offence.

11.1 The strength of this argument has to be tested keeping in mind the overall scheme of the Act, which is a prohibitive legislation. Section 8(c) of the Act stipulates in no uncertain terms that *no person* shall produce, manufacture, possess, sell, purchase, transport, warehouse, use, consume or import/export any narcotic drug or psychotropic substance; and an *exception* to this rule is carved out for medical or scientific purpose and in the manner and to the extent provided by the Act or the Rules or Orders made thereunder. For dealing with commercial quantity in violation of, *inter alia* amongst others, Section 8(c) of the Act, the provision under Section 22 of the Act prescribes punishment of rigorous imprisonment for a term which shall not less than ten years, but which may extend to twenty years.

11.2 Merely because the authorities concerned did not clearly answer queries of the accused/applicants, the latter cannot claim unfettered right to deal in the contraband, that too in commercial quantity.

11.3 The argument under analysis also fails on careful scrutiny of the communication dated 28.03.2019, which reads as follows. Earlier, sublingual tablets of Buprenorphine were approved subject to the conditions that it shall be supplied only to the "*designated*" deaddiction centers "*set up by the Government of India*" and "*hospitals*" with deaddiction facilities; that the list of centers to whom the substance is supplied should be furnished to the Drugs Controller General periodically indicating the quantity supplied to each center; and that even the manufacturing license was to be granted keeping in view those conditions. Subsequently, the Association of Psychiatrists sought withdrawal of restrictions for supply of the substance to the deaddiction centers because of extremely less availability of deaddiction centers, improper definition of "Deaddiction Centers" and lack of access of the same to the psychiatrists. After discussion, the 38th Subject Experts Committee (Neurology & Psychiatry) recommended "*modification*" of the earlier restriction to the effect that the substance should be allowed to be supplied to *psychiatric clinics and hospitals* also instead of earlier condition that the same should be supplied to deaddiction centers only. It clearly shows the tightly regulated permissibility of use of Buprenorphine. There is nothing to show that the deaddiction centers run by the accused/applicants are the *designated* centers set up by the Government of India or the same form part of any *hospital* or are *psychiatric clinics*. There is also nothing to show that Buprenorphine was being purchased/stored/sold by either or both of the two doctors allegedly employed by the deaddiction centers of the accused/applicants. Rather, according to the records of the deaddiction centers seized during investigation, the contraband drugs were sold even on the days when neither of the doctors was on duty.

11.4 Further, it would be significant to note that out of those two doctors employed in the said deaddiction centers, only one, namely Dr.Vipin Nain is psychiatrist; while the other doctor, namely Dr.Sanjay Modi is a pediatrician as reflected from his stamp of DCH (Diploma Child Health). Even in his statement recorded by the IO, it was stated by Dr.Modi that he is a pediatrician.

12. As regards the argument that Buprenorphine is a deaddiction drug, covered under the Drugs & Cosmetics Act, one cannot ignore the explicit provision under Section 80 of the Act, which stipulates that provisions of the Act are in addition to and not in derogation of the Drugs & Cosmetics Act. Besides, in the case of ***Union of India vs Sanjeev V Deshpande***, (2014) 13 SCC 1, the Supreme Court held thus:

> *"25. In other words, dealing in narcotic drugs and psychotropic substances is permissible only when such dealing is for medical purposes or scientific purposes. Further,* ***the mere fact that the dealing in narcotic drugs and psychotropic substances is for a medical or scientific purpose does not by itself lift the embargo created under section 8(c)****. Such a dealing must be in the manner and extent provided by the provisions of the Act, Rules or Orders made thereunder. Sections 9 and 10 enable the Central and the State Governments respectively to make rules permitting and regulating various aspects contemplated under Section 8(c), of dealing in narcotic drugs and psychotropic substances."*
>
> (*emphasis supplied*)

13. In the case of accused/applicant Manoj, as mentioned above, apart from being Manager-cum-CEO of the deaddiction centers, he is also one of the trustees of the Trust running those centers. Accused Manoj maintained and kept under his control the entire records of purchase, storage and sale of Buprenorphine. According to investigation, he was connected with each of the remaining accused/ applicant and was the link between consumers and peddlers. Further, accused Manoj was involved in destroying the trail of evidence by erasing Batch Numbers from packaging and he enlisted fictitious persons as medically prescribed patients/consumers of Buprenorphine, including Abu Talib, even during the period when he was in jail. The apprehension of prosecution is not baseless that if released on bail, accused Manoj is likely to destroy evidence, as further/supplementary investigation is ongoing.

14. As regards accused Amit Khanna, he is the Settlor of the Humanity Welfare Trust that was running the deaddiction centers through the accused/applicants and earned unlawful profits of 300% from sale of Buprenorphine. The keys of the stock almirah were found in possession of accused Amit Khanna at the time of seizure. It is accused Amit Khanna only, who was in direct contact with the owners of the Buprenorphine supplier Rusan Pharma. It is he only, who appointed accused Manoj and forged signatures of purchasers of Buprenorphine. Claiming that he is the mastermind, investigators

express need for access to accused Amit Khanna for custodial interrogation.

15. As regards accused Satvinder Kaur, it is nobody's case that being wife of accused Amit Khanna, she is merely namesake owner of the two deaddiction centers. Accused Satvinder Kaur was actively running the deaddiction centers, engaged in illegal purchase/storage and sale of Buprenorphine. Despite service of notice under Section 67 of the Act, accused/applicant Satvinder Kaur did not join investigation, and proceedings under Section 82 CrPC were initiated against her, which also is a factor to be kept in mind. Being actively involved in running of the said two deaddiction centers, accused Satvinder Kaur is the direct beneficiary of illegal peddling of Buprenorphine. The investigators need her presence for custodial interrogation in the ongoing investigation.

16. The role ascribed to accused Tajinder Kaur is similar to that of accused/applicant Manoj. In her capacity as an active worker of the deaddiction centers, she was connected with all the remaining accused persons, including Pawan, Vikrant, Sonu and Satya Prakash Tiwari. The evidence collected in investigation shows payments received by accused Tajinder Kaur from Sachin Tiwari towards purchase of the contraband. Like accused Satvinder Kaur, she also did not join investigation despite service of notice under Section 67 of the Act, and proceedings under Section 82 CrPC were initiated

against her as well. The presence of accused Tajinder also is sought by the investigators for custodial interrogation.

17. In nutshell, the vital circumstances in these cases are: the enormity of intricate web dealing illegally in Buprenorphine; status of investigation being ongoing; recovery of commercial quantity of the contraband from the accused/applicants; two of the accused/ applicants facing action under Section 82 CrPC; requirement of custodial investigation of the accused/applicants, as expressed by the investigators; and absence of any reasonable ground, which could satisfy this court into believing that the accused/applicants are not guilty of the offences alleged against them and/or they are not likely to commit an offence if released on bail.

18. In the light of the aforesaid, none of the accused/applicants deserves the liberty sought by them. Consequently, Bail Application of accused Manoj and Anticipatory Bail Applications of accused Amit Khanna, Satvinder Kaur and Tajinder Kaur are dismissed.

19. The accused Amit Khanna, Satvinder Kaur and Tajinder Kaur, who had been granted interim protection from arrest shall surrender immediately before the IO/SHO concerned.

20. Nothing observed herein shall have bearing on the final outcome of the trial. Copy hereof be immediately sent to the concerned Jail Superintendent for being conveyed to accused Manoj.

GIRISH KATHPALIA
(JUDGE)

JULY 07, 2025