



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

CRM-M-47367-2024

Date of Decision:-18.11.2024

Sanjay Verma.

.....**Petitioner.**

Versus

State of Haryana.

.....**Respondent.**

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Ravi Malik, Advocate for the Petitioner.

Mr. Ashok Chaudhary, Addl. AG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under section 439 Cr.PC is for the grant of regular bail in case FIR No.73 dated 10.03.2023 under Sections 20 of NDPS Act, 1985 (Section 29 of NDPS Act, 1985 and Sections 420, 467, 468, 471 IPC added later on) registered at Police Station Quilla, Panipat, District Panipat.

2. The brief facts of the case are that while the police party was on patrolling duty, secret information was received that a person travelling in a car bearing No.HP-34A-8819 was carrying Ganja leaves and would be coming to Panipat to sell the same. A Nakabandi was set up and the car was stopped. The driver of the car disclosed his name as Ramesh. From the said vehicle 45 kgs.400 grams of Ganja leaves came to be recovered. The arrested accused Ramesh (granted bail vide order of even date passed in CRM-M-44014-2024) disclosed that one Aarif (granted bail vide order dated



01.12.2023 passed in CRM-M-59471-2023) had supplied the same to him.

The accused Aarif who was in custody filed an application dated 10.07.2023 for interim bail for one month on medical grounds. During verification, the medical records allegedly issued by Dr. Deepak, CHC, Shamli, U.P. attached with the application for interim bail were found to be forged on the basis of enquiry conducted by the Investigating Officer in which the statement of Dr. Deepak had been recorded. The application for grant of interim bail was dismissed by the Court of A.S.J., Panipat vide order dated 17.07.2023. Thereafter, Sections 420, 467, 468, 471 IPC were added in the case.

Ashok Arora, Advocate appearing for the accused Aarif was joined in the investigation who disclosed that the forged medical documents had been given to him by the one Aarij (since granted bail vide order dated 06.12.2023 passed in CRM-M-52142-2023) and accordingly the statement under Section 161 Cr.P.C. of Ashok Arora, Advocate was recorded.

On 15.07.2023, Aarij was joined in the investigation and was arrested. He disclosed that he had got prepared the forged medical certificates through Dr. Sanjay Verma (petitioner).

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The allegations against him are baseless. Accused Ramesh, Aarif and Aarij had already been granted the concession of bail by this Court vide orders dated 18/11/2024 passed in CRM-M-44014-2024, dated 01.12.2023 passed in CRM-M-59471-2023 and dated 06.12.2023 passed in CRM-M-52142-2023. So far as the petitioner was concerned, he could not be charged for the offence under the provisions of the NDPS Act. As the petitioner was a first-time offender, in custody since 02.06.2024 and none of the 23 prosecution witnesses had been



examined so far, he was entitled to the concession of bail moreso as he had clean antecedents with no other case registered against him.

4. On the other hand, the learned State counsel has filed Status report by way of affidavit dated 15.11.2024 of Mr. Satish Kumar, HPS, Deputy Superintendent of Police, HQ, Panipat in the court today, which is taken on record. While referring to the same he contends that the petitioner fabricated documents to show that Aarif was ailing in order to obtain interim bail for him. Therefore, the offence was well-established and the petitioner was not entitled to the concession of bail. He, however, concedes that the petitioner was a first-time offender, in custody since 02.06.2024, that none of the 23 prosecution witnesses had been examined so far and that the co-accused had already been granted bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, Aarif has been granted the concession of bail. The petitioner is stated to be in custody since 02.06.2024 and none of the 23 prosecution witnesses have been examined so far. He is also a first-time offender. In this situation, his further incarceration is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Sanjay Verma** son of Sh. Sripal is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.



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9. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.
10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 18, 2024
Vinay

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