



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50163-2024
Date of Decision:22.10.2024

Mukesh Verma ...Petitioner
vs.
State of Haryana ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Rajat Khana, Advocate with
Mr. Vijay Partap Singh, Advocate and
Mr. Vishal Saini, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.467, dated 30.07.2024, under Sections 22C, 29/61/85 of NDPS Act, registered at Police Station Krishna Gate, Thanesar, District Kurukshetra (Annexure P-1).
2. Learned counsel for the petitioner contends that 600 Capsules of Parvadon Spas containing tramadol salt (60 strips containing 10 Capsules each) weighing 325.80 grams; 904 Capsules of Proxyoff Spas containing tramadol salt (113 strips containing 8 capsules each) weighing 465.50 grams; and 1560 Capsules of Parvodon Spas containing tramadol salt (156 strip containing 10 Capsules each) weighing 858 grams (a psychotropic substance provided at Sr. No.110Y of the Scheduled attached with the NDPS Act) were recovered from the possession of one Mahipal, main accused. Mahipal was arrested by the

police and the entire recovery in the present case has taken place from him only. Learned counsel further contends that the petitioner was neither named in the FIR nor had played any role in the crime. The petitioner was nominated as an accused on the basis of the disclosure statement suffered by Arvind Sharma and apart from that, there is no other evidence against him. He further submits that the petitioner was never involved in any other criminal activity and the similarly placed co-accused, namely, Ghanshyam has already been granted the concession of anticipatory bail by this Court, vide order dated 23.09.2024 passed in CRM-M-41879-2024 titled as “Ghanshyam Vs. State of Haryana” (Annexure P-4).

3. A Status report by way of an affidavit of DSP, HSNCB, Ambala has been filed and the same is taken on record.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record.

6. It is not in dispute that the similarly placed co-accused, Ghanshyam has already been granted the concession of anticipatory bail by this Court vide order dated 23.09.2024 (Annexure P-4). Apart from that, co-accused Kedar Nath @ Krishan has already been ordered to be released on bail vide order dated 25.09.2024 (Annexure P-5).

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail,

subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S .

22.10.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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