

2025:PHHC:096380



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

CRM-M-6976-2025 (O&M)

Reserved on : 24.07.2025

Pronounced on : 31.07.2025

Vinod Kumar**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Divyanshu Kumar, Advocate
for the petitioner. (Through VC)

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 182 dated 09.05.2024, registered under Section 20(B)(II)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sector 29, Gurugram.

2. Brief facts of the case relevant for the disposal of the present petition are that on 09.05.2024, on the basis of secret information, co-accused Dhanna Lal Moktan @ Amar was apprehended by a police party and recovery of 10 kgs. 660 grams of Charas and drug money of Rs.56,800/- was effected from him. Upon interrogation, he suffered disclosure statement on 10.05.2024 to the effect that he used to procure the contraband from one Saroj, who used to send the contraband through the present petitioner. However, in his disclosure statement recorded on 12.05.2024, co-accused Dhanna Lal Moktan @ Amar stated that he had

2025:PHHC:096380



procured the contraband through the petitioner only once as Saroj used to send the same through different persons. On the basis of the same, the petitioner was nominated in this case as an accused and was arrested on 06.06.2024. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforesaid mentioned offences. The petitioner was granted concession of interim bail by this Court, vide order dated 15.05.2025, which is still continuing.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He was neither named in the FIR nor was found at the spot. He has been nominated in this case on the basis of the disclosure statement suffered by the co-accused, which is not admissible in evidence. No contraband was recovered from him subsequent to his arrest. He has clean antecedents and is not involved in any other case. Even otherwise, investigation has since been completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner has been in custody for 11 months and 12 days before being released on interim bail. No useful purpose would be served by detaining him again. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

2025:PHHC:096380



5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by co-accused Dhanna Lal Moktan @ Amar, who was apprehended by the police party on 09.05.2024 and from whom the aforesaid quantity of Charas was recovered. The allegation against the petitioner is that he had once handed over the contraband to the co-accused on the instructions of co-accused Saroj. The petitioner was arrested on 06.06.2024. However, no contraband was recovered from him subsequent to his arrest. The petitioner has clean antecedents and is not involved in any other case. He is on interim bail since 15.05.2025 and is not shown to be involved in any other case during this period. Challan has been filed. Conclusion of trial would obviously take time. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by detaining him again. Accordingly, the present petition is allowed. The interim bail, granted to the petitioner, vide order dated 15.05.2025, is hereby confirmed and converted into regular one. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

31.07.2025*Waseem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned
Whether reportable**Yes/No
Yes/No*