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

CRM-M-6897-2025**Date of Decision: 06.03.2025**

Dhana Singh Palaka @ Dhan Singh
Palaka

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Mohit Rathee, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.328 dated 25.08.2024 registered under Sections 20(b)(ii)(c) and 29 NDPS Act, at Police Station Kalanaur, District Rohtak.

2. Learned counsel for the petitioner contends that on receipt of the secret information, two co-accused, namely, Deepak and Vinod were arrested by the police, while they were carrying 27 Kgs 100 grams of Ganja, without any permit or licence. After their arrest, they suffered their disclosure statement and named Parvesh as co-accused. Parvesh was also arrested and in his disclosure statement, he had named the petitioner as one of the supplier of the drugs. Learned counsel further contends that the petitioner was arrested in the present case on 03.09.2024 and is in custody for the last about 06 months. Even no recovery has been effected from him. He further contends that it has been



wrongly alleged that the petitioner had transferred money to Vinod on account of sale of drugs rather the petitioner and Vinod are closely related and due to his relation with Vinod, he had been falsely involved. The police has conducted the investigation and the challan has already been presented against him. Apart from that, similarly placed co-accused, namely, Ravi and Parvesh have been granted the concession of anticipatory bail by this Court.

3. 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.

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

5. The petitioner was arrested in the present case on 03.09.2024 and the challan has already been presented against him. Even admittedly, no recovery was effected from the petitioner and his case is clearly distinguishable from the case of Vinod and Deepak, who were arrested on the spot. Even, there is no other case against him.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

06.03.2025

hemlata

(N.S.SHEKHAWAT)
JUDGE

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