



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

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**CRM-M-9526-2025 (O&M)
Date of decision: 26.08.2025**

ANIL

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Vishvajeet Singh Panwar, and
Mr. Sarvajeet Singh Panwar, Advocate
for the petitioner.

Mr. R.K. Ambavta, DAG, Haryana.

YASHVIR SINGH RATHOR. J.(Oral)

1. Petitioner is praying for regular bail in case FIR No.380, dated 14.06.2024, under Sections 22-C, 25 and 29 of the NDPS Act, registered at Police Station Indri, Karnal, District Karnal,
2. Brief facts of the prosecution case are that on 14.06.2024 at about 5:15 PM, SI Rohtash along with other Police officials was present at Rambha Chowk at Indri Road via Baldi bye-pass, when he received a secret information that Anil (petitioner herein) indulges in supply of Narcotic substance and shall be coming towards Karnal on a motorcycle along with narcotic substance and he can be apprehended. Notice under Section 42 of the NDPS Act was prepared and SPO Dalbir Singh was sent to Police Station with the instructions to get the same registered in the General Diary. After 20 minutes, petitioner came on a motorcycle and on seeing the police party, he tried to run away but he was apprehended. Accused opted that he does not want the bag to be searched before a Gazetted



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Officer. Thereafter on checking the said bag, it was found to contain 720 capsules of Tramadol, manufactured by Cerotic Healthcare Private Limited, besides 750 tablets of Alprazolam. The total weight of Tramadol capsules was found to be 379.8 grams, while Alprazolam tablets weighed 97 grams. Thereafter, petitioner was arrested and after completion of investigation, challan has been presented for trial.

3. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

4. Learned counsel for the petitioner argued that petitioner has been falsely implicated in the present case. There is non-compliance of Section 42 of the NDPS Act, as secret information was not reduced into writing and supervisory officers were not informed. Learned counsel further argued that as per FIR, there was same batch number on all the 30 strips, but as per order passed under Section 52-A of the NDPS Act, 20 strips had same batch number, while other 10 strips had different batch number, which raises doubt about the alleged recovery. Petitioner has been falsely implicated at the instance of two persons namely Kamal and Debu, who had a quarrel with him and they were present along with SI Rohtash on the alleged day, when he was arrested and a false recovery has been planted upon him. Learned counsel further argued that petitioner is in custody since 14.06.2024. Challan was presented on 09.12.2024 and charges were framed on 20.03.2025, but no witness has been examined as yet and in view of his long incarceration, petitioner is entitled to be released on bail.

5. Reply/Status report dated 25.08.2025 by way of affidavit of Gagan Ram Punia, IPS, Superintendent of Police, Karnal has been filed on behalf of



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respondent-State. The same is taken on record.

6. On the other hand, learned State counsel, assisted by SHO Vipin Kumar and SI Rohtash, submits that a large quantity of narcotic substance has been recovered from the possession of the petitioner, which falls within commercial quantity. Therefore, the petitioner is not entitled to bail in view of bar contained in Section 37 of the NDPS Act, and accordingly, prays for dismissal of the present bail petition.

7. Allegations against the petitioner are serious in nature, as huge quantity of tramadol and alprazolam tablets have been recovered from the possession of the petitioner, which falls within commercial quantity. There is nothing on file to show that petitioner is not guilty of the offence, at this stage or that he is not likely to commit the offence, if released on bail and in view of bar contained in Section 37 of the NDPS Act, petitioner is thus not entitled for bail. Besides this, recovery was effected on the basis of secret information. Whether there is non-compliance of Section 42 of the NDPS Act or not can be appreciated by the trial Court, after the prosecution leads its evidence and in view of gravity of the offence and the fact that contraband recovered is of commercial quantity, this Court is of the considered opinion that petitioner does not deserve the concession of bail and accordingly bail application is hereby dismissed.

(YASHVIR SINGH RATHOR)
JUDGE

26.08.2025
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No