



CRM-M-10012-2025 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM-M-10012-2025
Decided on: February 27, 2025

Rammehar @ Ram Mehar
.....Petitioner
Versus
State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Rammehar @ Ram Mehar son of Mani Ram, aged about 60 years	208	31.07.2024	20(b)(ii) (C) & 29 of NDPS Act, 1985	Madlauda	Panipat

2. Learned counsel for the petitioner contends that –
(i) recovery of 1.203 Kgs. of Charas has been effected from the main accused, namely, Bhartari son of Jai Narain;
(ii) as per the prosecution version, during interrogation, main accused Bhartari disclosed the names of two



other accused, i.e. Sonu son of Sompal and Rammehar @ Ram Mehar (petitioner herein);

- (iii) petitioner – Rammehar @ Ram Mehar was arrested after a period of four months i.e. on 13.11.2024;
- (iv) case of the prosecution is solely based upon the disclosure statement of main accused Bhartari, and same is not an admissible evidence, as per law, unless there is some supporting evidence;
- (v) petitioner is inside jail since 13.11.2024 and the quantity of recovered contraband is little more than the maximum of non-commercial quantity i.e. 1 Kg.

Thus, prays for grant of bail.

3. On advance notice, learned State counsel puts in appearance and while opposing the prayer for bail points out that the petitioner is involved in two other criminal cases under the NDPS Act. However, there is no conviction ever recorded against him till date. In case, the petitioner is released on bail, there is every likelihood that he may commit such type of offence again. Thus, prays for dismissal of the present petition.

4. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner by observing that in the present case, contraband of Charas, weighing 1.203 Kgs. has been recovered from the main co-accused, Bhartari, who during interrogation named both the accused, subsequently. The petitioner is aged about 60 years and inside jail since 13.11.2024. Culmination of the trial is likely to take long time, and liberty of the petitioner cannot be curtailed for indefinite period.

5. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his



furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

- 7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
- 8. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
- 9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
- 10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 27, 2025
Pkapoor

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**