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

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**CRM-M-11437-2025  
Date of Decision: 20.05.2025**

**AJAY KUMAR GUPTA****... PETITIONER**

**VERSUS**

**STATE OF HARYANA****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Madan Sandhu, Advocate for the petitioner.

**H.S. Grewal, J.(Oral)**

1. This petition has been filed for grant of regular bail under Section 483 of BNSS in case FIR No. 279 dated 04.12.2024 under Section 20(b) (ii) B and 29 of NDPS Act registered at Police Station Industrial Area, District Bhiwani.

2. Learned counsel for the petitioner submits that the case of the prosecution is that ASI Anand along with other police officials received secret information regarding involvement of accused-Ramdass in selling of intoxicating substance. He was arrested for having in his possession 697.5 grams of charas, which falls under non-commercial quantity. He further submits that the name of the present petitioner has not been mentioned in the FIR. The present petitioner has been named only on the basis of disclosure statement of the accused-Ramdass while in custody and the same is

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inadmissible and is not a piece of evidence. No recovery has been effected from the conscious possession of the petitioner. He further submits that there is only a disclosure statement against the petitioner. The petitioner is in custody since 07.12.2024.

3. Notice of motion.

4. Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of the respondent-State. Learned State counsel has filed the custody certificate in the Court today, which is taken on record. As per custody certificate, the petitioner is in custody for the last 05 months and 13 days. He vehemently opposes the prayer for grant of regular bail to the petitioner. He fairly admits that the petitioner is in custody since 07.12.2024. On asking, he submits that there is only disclosure statement of the co-accused against the petitioner and no other evidence has come on record. He further submits that out of 15 prosecution witnesses only, 04 witnesses have been examined.

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

6. There is no other evidence collected against the petitioner except the disclosure statement made by the co-accused. No recovery has been effected from the petitioner. Since the continuous detention of the petitioner would not serve the ends of justice, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on



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regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.
9. Pending applications, if any, shall also stand disposed of.

**20.05.2025**  
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**(H.S.GREWAL)**  
**JUDGE**

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