

2025:PHHC:056090



221.

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

CRM-M-13429-2025

Date of decision: 30.04.2025

Virender Kumar

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mukesh Yadav, Advocate for the petitioner.

Mr. Rajat Gautam, Addl. A.G., Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.56, dated 06.02.2025, under Section 21(b) of NDPS Act, registered at Police Station City Narnaul, District Mahendergarh.

2. Learned counsel for the petitioner contends that it is undisputed even by the prosecution that the petitioner is working as a salesman in the Chemist shop from where a recovery of 6.4 grams of tramadol (128 capsules) was allegedly effected. The petitioner has been arrested in the case, being an employee of co-accused, Raghuvir Prashad, owner of Chemist shop. Vide order dated 24.02.2025 passed in CRM-M-10554-2025, said Raghuvir Prashad has already been admitted to interim

bail. It has been submitted by the learned counsel that the petitioner has no previous criminal antecedents.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has neither disputed that the petitioner was a helper in the Chemist shop, nor the custody period has been disputed. Learned State counsel, on instructions, has also not disputed that the challan stands presented and as many as 15 prosecution witnesses have been cited. Petitioner is also not stated to be involved in any other case.

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

5. The petitioner has been in custody since 07.02.2025. Till date, out of 15 prosecution witnesses cited, no one has been examined so far. The possibility of the trial concluding in the near future therefore looks remote. The co-accused, Raghuvir Prashad, from whose shop, the alleged recovery was effected, has already been granted anticipatory bail. Petitioner is not stated to be involved in any other case.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

April 30, 2025
sanjeev

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