



CRM-M-14951-2025 **1**

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
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CRM-M-14951-2025
Decided on: November 06, 2025

Rinku Pal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sarvesh Singh, Advocate,
for the petitioner.
(appeared through VC mode)

Mr. Amish Sharma, AAG, 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
Rinku Pal	225	22.07.2024	21-C of the NDPS Act, 1985 [offence under Section 14 of the Indian Foreigner Act, 1946 and Section 12 of the Passport Act, 1967 added later on)	DLF, Phase-3	Gurugram



2. As per the case of the prosecution, on 22.09.2024, while patrolling in Gurugram, ASI Yashpal received specific information that Rinku Pal was in possession of MDMA (Methylene Dioxy Methamphetamine), with the intent to supply, leading him to immediately dispatch a notice under Section 42 of the NDPS Act. The police proceeded to the spot where Rinku Pal was identified. After being informed of his rights under Section 50 of the NDPS Act, Rinku Pal opted to be searched in the presence of a Gazetted Officer, who arrived around 8.45 pm. During the search, which was conducted under the officer's supervision, a polythene packet containing a substance suspected to be MDMA was recovered from the pocket of jeans (Pant) of Rinku Pal. The substance, along with the packaging, was weighing approximately 12 grams. Following the completion of all sealing and inventory formalities on-site, Rinku Pal was subsequently arrested.

3. The voice of Mr. Sarvesh Singh, Advocate, learned counsel for the petitioner, who is appearing through Video Conferencing Mode, is not reaching to the court due to some technical glitch at his end. However, with the assistance of learned State counsel, this Court apprised itself that quantity of more than 50 grams of MDMA is considered as commercial quantity. Learned State counsel on instructions from ASI Rajesh Kumar, No. 761 GGN, also points out that out of total 18 prosecution witnesses, only one witness has been examined till date. The petitioner has remained inside jail for about 08 months and 10 days in the present case before grant of interim bail by the Co-ordinate Bench of this court, vide order dated 04.04.2025, which reads as under:-



“ Learned counsel for the petitioner contends that as per FSL Report dated 07.01.2025, alleged contraband recovered from the petitioner is stated to be 12 grams Methamphetamine. Further contends that as per Notification dated 10.10.2001 issued by the Ministry of Finance, Government of India, the commercial quantity prescribed for the above salt is 50 grams; thus, alleged recovery falls in the category of non-commercial.

Learned State counsel seeks time to have further instructions and verify the above factual position.

Posted for 30.04.2025.

In the meanwhile, petitioner be released on interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds subject to the satisfaction of learned Special Court/CJM/Duty Magistrate concerned.”

4. It is further informed by learned State counsel that the petitioner is aged about 26 years, and is never involved in any other case under NDPS Act, therefore, present case seems to be first case under NDPS Act against him.

5. Taking note of the factual matrix noticed here-above, quantity of the contraband, i.e. 12 grams of MDMA, alleged to have been recovered from the petitioner, which is much less to the commercial quantity of 50 grams, and the fact that the petitioner has undergone incarceration of about 08 months and 10 days before he was granted interim bail by the Co-ordinate Bench of this Court, the order dated 04.04.2025 is hereby made absolute.

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. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, Trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.
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

November 06, 2025
P Kapoor

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