



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

CRM-M-14757-2025

Date of Decision: 24.03.2025

Arman Khan

...Petitioner

vs.

State of Haryana

...Respondent

Coram : **Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 290, dated 11.09.2024, registered under Sections 22 (C) of NDPS Act and Section 29 of NDPS Act added later on, Police Station DLF Phase-I, Gurugram, District Gurugram, Haryana.

2. Learned counsel for the petitioner contends that in the present case Savesh Alam was arrested by the police, however, no contraband was recovered from him. Thereafter, his bag was searched and the police found 21 boxes of Spasmo Proxyvone Plus, Dicyclomine Hydrochloride, Tramadol, Hydrochloride, Acetaminophen capsules, with each box containing 144 capsules, amounting to a total recovery of 3024 capsules. Learned counsel for the petitioner further contends that additionally four packets of Paradol Tramadol Hydrochloride Injection (100 mg/2 mg each) were also recovered, leading to total recovery of 35 injections. Learned counsel for the petitioner further contends that the entire recovery in the present case was effected from

Sarvesh Alam, who has already been arrested on 11.09.2024. He further contends that the police also arrested Armaan Khan, co-accused in the present case. Learned counsel for the petitioner next contends that the petitioner was neither named in the FIR nor there was any averment in the FIR, which even remotely connects the petitioner with the commission of crime. The petitioner has been falsely involved in the present case only on the basis of disclosure statement made by Sarvesh Alam as well as Aatif Ansari, co-accused. The petitioner was arrested in the present case on 11.09.2024 and no recovery was effected from him. Even the petitioner is a first offender and was never involved in any other case.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that there are call details with Aatif Ansari and there have been financial transactions between the complainant side and the accused.

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

5. It is an admitted fact that no recovery was effected from the petitioner in the present case and he is not involved in any other case. Thus, further custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)

JUDGE

24.03.2025

hitesh

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