

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 219

Criminal Miscellaneous No.M-16531 of 2025**Date of Decision: October 15, 2025**Harish Bhatia

..... PETITIONER(S)

*VERSUS*Union of India through NCB Chandigarh

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**PRESENT:** - Dr. Sandeep Kumar Passi, Advocate, for the petitioner.Mr. H.S. Sullar, Advocate, with Mr. Harnesh Kumar,
Advocate, for respondent-NCB.**SUBHAS MEHLA, J**

The present petition has been filed seeking regular bail in case Crime No.33 dated 12.06.2020 under Sections 8, 21, 22, 29, 60 of Narcotics Drugs and Psychotropic Substances Act, 1985 registered at Police Station, NCB, Zonal Unit, Sector 25(W), Chandigarh.

2. Facts of the case are that on 12.06.2020, NCB received a secret information to the effect that one suspected consignment is being sent from Panchkula to Ferozepur to consignor M/s Brioshine Pharma, Panchkula. Thereafter, the team of NCB after seizing the consignment from DTDC Courier Company went to the office of consignor and met co-accused Paramjit Kaur, who disclosed that the said consignment was got booked by her on 10.06.2020 and the parcel contained Tramadol intoxicant tablets, supplied to her by co-accused Rakesh Kumar Singla. The said contraband was meant to be sold to co-accused Bhavnish. Subsequently, on the basis of disclosure statement of Paramjit Kaur, the alleged recovery of 40 boxes containing 20,000 intoxicant tablets containing Tramadol Hydrochloride salt was recovered, and on disclosure statement of co-accused Bhavnish, recovery of



74 boxes of tablets containing aforesaid salt was recovered. On 13.06.2020, co-accused Rakesh Kumar Singla stated in his confessional statement that he used to purchase the intoxicant tablets from M/s Radhey Pharma in New Delhi, to sell the same to Harpreet Singh in Ferozepur. He further stated that he ordered to Tramadol salt from Raju Sachdeva @ Harish Bhatia (petitioner herein), with whom he contacted from Facebook or Whatsapp. Raju Sacideva was also nominated as accused in the present case.

3. Learned counsel for the petitioner submits that petitioner's name is Harish Bhatia and not Raju Sachdeva. There is no evidence on record to establish any link between petitioner and Raju Sachdeva. He has been nominated as accused on the basis of disclosure statement of co-accused Rakesh Kumar Singla, who nowhere stated that Raju Sachdeva is Harish Bhatia. Further Rakesh Kumar Singla has already been granted the concession of regular bail by this Court. The petitioner was not arrested from the spot and no recovery was effected from his conscious possession. No useful purpose would be served by keeping the petitioner behind bar; trial of case will take long time; and he is ready to abide by all the conditions imposed while granting bail.

4. *Per contra*, learned State counsel opposed the prayer made by learned counsel for the petitioner and submitted that NCB, Chandigarh has effected recovery of 57000 tablets (Clovidol-100 ST) containing Tramadol Hydrochloride on 12.06.2020 from the office of DTDC (RO), Panchkula. Petitioner used to send the contraband on asking of co-accused Rakesh Kumar Singla, who used to deposit drug money in the bank accounts provided by the petitioner. Learned counsel further contended that Raju Sachdeva and Harish



Bhatia are same person; rather he is involved in two more cases also, wherein also, he was booked in the name of Raju Sachdeva @ Harish Bhatia. Further, the recovered contraband falls in category of commercial quantity.

5. Heard.

6. As per the prosecution case, 57000 tablets containing Tramadol Hydrochloride were seized by NCB, which undoubtedly falls within the ambit of commercial quantity. During investigation, co-accused Rakesh Kumar Singla disclosed that he had ordered the contraband from Raju Sachdeva. He also disclosed his mobile number: 84476-47280, with which he used to contact the petitioner through Facebook or WhatsApp. The drug money was deposited in the bank accounts provided by the petitioner.

7. It is apparent from the case file that Punjab Police had also registered a case against the petitioner vide FIR No.72 dated 23.05.2020, in which the petitioner has already been arrested and he himself disclosed his name as Raju Sachdeva @ Harish Bhatia. However, WhatsApp messages exchanged between petitioner and co-accused Rakesh Kumar Singla *prima facie* depict the involvement of petitioner in the present case.

8. Huge commercial quantity of contraband has been recovered in the case. Petitioner is not entitled to claim parity with co-accused Rakesh Kumar Singla as prosecution had failed to produce certificate under Section 65-B of Indian Evidence Act at the time of granting bail to him. Besides, petitioner is the main accused, who used to supply contraband on the asking of Rakesh Kumar Singla and also, drug money was deposited in the bank accounts provided by the petitioner.



CRM-M-16531-2025

[4]

9. In view of the above discussion, this Court finds no merit in the present petition.
10. Dismissed.
11. Nothing observed herein shall be construed as an opinion of this Court on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

October 15, 2025
avin

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No