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

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**CRM-M-17228-2025 (O&M)
Date of decision : 27.08.2025**

Manish Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Rahul Chauhan, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 225 dated 21.08.2024, registered under Sections 22-C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sadhaura, District Yamuna Nagar.

2. Brief facts of the case relevant for the disposal of the present petition are that on 21.08.2024, on the basis of secret information, co-accused Sindhu Kumar @ Sintu Kumar @ Kala, while coming in a car bearing registration number HR-55-G-3831, was apprehended by a police party and recovery of 720 capsules of Tramadol HCL and 90 tablets of Alprazolam was effected from him. Since he could not produce any valid license or permit to keep in his possession the recovered drugs, he was formally arrested at the spot. Upon interrogation, he disclosed that the recovered contraband was

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supplied to him by the present petitioner. On the basis of the same, the petitioner was nominated in this case as an accused and was arrested on 27.10.2024. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He was neither named in the FIR nor was found at the spot. He has been nominated in this case based on the disclosure statement suffered by the above named co-accused, which is not admissible in evidence. Subsequent to his arrest, no recovery has been effected from him. He is not involved in any other case and has clean antecedents. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 27.10.2024. More so, co-accused Harpal @ Pal and Satish Kumar have been granted concession of anticipatory/regular bail by this Court, vide orders dated 07.01.2025 and 26.05.2025 passed in **CRM-M-46422-2024** and **CRM-M-4704-2025**, respectively. On the grounds of parity, the petitioner too deserves to be granted the benefit of bail as no useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Custody certificate of the petitioner has been filed by the respondent-State. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable

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to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure made by above named co-accused. However, subsequent to his arrest, no recovery is shown to have been effected from him. He is not even shown to be involved in any other case and has clean antecedents. Investigation has since been completed and *challan* has been presented. Conclusion of trial would obviously take time. Co-accused Harpal @ Pal and Satish Kumar have already been granted concession of anticipatory/regular bail by this Court, as mentioned above. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

27.08.2025
Waseem Akbari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No