

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

2025:PHHC:113417



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CRM-M-23502-2025 (O&M)

Date of Decision: 26.08.2025.

Umar Malik

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Abhimanu, Advocate for the petitioner.

Mr. Pawan Kumar Garg, DAG, Haryana.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in FIR No.20 dated 24.01.2025, under Sections 20, 29/61/85 of NDPS Act, registered at Police Station Sarai Khwaja, District Faridabad.

As per prosecution case, on 23.01.2025, during routine patrolling, co-accused Sania was apprehended by the police with 8Kg 185 grams Ganja in her possession and the petitioner was nominated as an accused in the present case on the basis of disclosure statement of co-accused. The petitioner is alleged to be supplier/ seller of the contraband.

Learned counsel for the petitioner contended that false recovery has been planted upon the petitioner and he has been falsely implicated in the present case. The petitioner is in custody since long. He has urged that

as trial of the case is likely to take time, therefore, the petitioner be granted concession of regular bail.

Notice was issued in this case on 07.05.2025 and status report was called from the State, which was filed on 23.07.2025 and the same was taken on record.

Learned State counsel has opposed the petition and submitted that the petitioner is indulging in sale and purchase of Ganja. He has been specifically named in the disclosure statement of co-accused Sania and as such he is not entitled to the concession of regular bail.

Heard.

As per the allegations, the name of the petitioner surfaced in the present case, only on the basis of disclosure statement of co-accused Sania, that he purchased 7kg Ganja from co-accused Shabana and sold the same to co-accused Sania from whom the alleged recovery of 8Kg 185 grams Ganja had been effected. The alleged recovery effected from co-accused Sania falls within the 'intermediate quantity'. The complicity of the petitioner is a matter of trial. As per the custody certificate, the petitioner is in custody since 07 months and 02 days. As per status report, the petitioner is not involved in any other criminal case and he is having clean antecedents. As conclusion of trial is likely to take time, so no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted to regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

(SUKHVINDER KAUR)
JUDGE

26.08.2025.

Komal

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