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

CRM-M-24093-2025

Date of Decision:20.05.2025

ATIF ANSARI

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

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

Present : Mr. Shashwat Kumar, Advocate with
Mr. Abhishek Thakur, 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 BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.290 dated 11.09.2024, registered under Sections 22 (c) & (Section 29 added later on) of NDPS Act, 1985, Police Station DLF Phase-I, Gurugram, District Gurugram.
2. Learned counsel for the petitioner contends that as per the case of the prosecution, Savesh Alam, co-accused was apprehended by the police and 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 were recovered from him. He 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 further contends that the



recovery was effected from Sarvesh Alam, who was arrested on 11.09.2024. After his arrest, he had named Arman Khan, co-accused in the present case. During the course of investigation, Arman Khan had suffered a disclosure statement and nominated the petitioner as the accused in the present case. Now, the Arman Khan has been granted the concession of bail by this Court vide order dated 24.03.2025 (Annexure P-3). He further contends that the petitioner was arrested in the present case on 23.11.2024 and is in custody since then. Even, the challan has been presented against him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner. and he does not deserve the concession of bail by this Court. However, he admits that there is no other case against the petitioner.

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

5. In the present case, the petitioner was arrested, after he was named by Arman Khan in his disclosure statement. Moreover, similarly placed co-accused Arman Khan has already been granted the concession of regular bail by this Court vide order dated 24.03.2025 (Annexures P-3). Thus, the further custody of the petitioner will not serve any useful 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 subject to the following conditions:-



(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy solvent sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

20.05.2025
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(N.S. SHEKHAWAT)
JUDGE

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