



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

222

CRM-M-24778-2025

Date of Decision : 29.09.2025

RAFAKAT ALI ALIAS RAFFA

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Mohammad Arshad, Advocate
for the petitioner.

Mr. Vikram Singh, AAG, Haryana.

AARADHNA SAWHNEY, J. (ORAL)

1. This petition for grant of bail under Section 483 BNSS, has been filed by petitioner, a co-accused in case bearing FIR No.165 dated 11.06.2022, registered against him and another at Police Station Mundkati, District Palwal, for the commission of offences punishable u/s 20 of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. On 13.05.2025, following order was passed:-

“Learned State counsel has produced custody certificate dated 12.05.2025, which is taken on record. Registry to tag the same at appropriate place.

Contends, inter alia, that co-accused, namely, Ikhlas @ Ekhlal has already been granted interim bail by this Court on 25.04.2025 (P-7).

Learned State counsel seeks time to file short affidavit in the matter.

Posted for 09.07.2025.



In the meanwhile, petitioner be released on interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds subject to the satisfaction of learned Special Court/CJM/Duty Magistrate concerned.

To be heard alongwith CRM-M-9167-2025.”

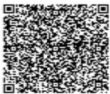
3. Learned counsel for the petitioner submits that in terms of order dated 13.05.2025, petitioner had been granted the concession of interim bail. Since then, petitioner has never misused the concession of interim bail and now the trial is nearing completion. It has been thus prayed that the concession of interim bail be made absolute.

3. Reply dated 08.07.2025 by way of affidavit of Mr. Kuldeep Singh, Deputy Superintendent of Police, Hodal, District Palwal, filed on behalf of the respondent-State has already been placed on record, wherein the factual aspect of the case has been highlighted. It has further been pointed out that though investigation qua petitioner are complete, charges have been framed and out of 13 prosecution witnesses, only a 07 witnesses have been examined. In the light of the heavy recovery of contraband, dismissal of the petition has been prayed for.

4. On a query raised by this Court, it was fairly admitted by learned State counsel that order dated 13.05.2025, vide which interim bail was granted to the petitioner, remains unchallenged as also that he (petitioner) has been regularly attending the Court proceedings and has not misused to concession.

5. Heard.

6. In view of the submissions advanced by learned counsel for the petitioner, considering the fact that trial is nearing completion, petitioner has never misused the concession of interim bail, interim bail granted vide order dated 13.05.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when



required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

(AARADHNA SAWHNEY)
JUDGE

29.09.2025
Nisha Yadav

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No