



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-31051-2025 (O&M)

Date of decision: 05.06.2025

Abdul Haseeb

...Petitioner

VERSUS

State of Haryana

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Gulshan Nandwani, Advocate for the petitioner(s).

Mr. Rahul Dev, Addl. AG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail to the petitioner in FIR bearing No.17 dated 03.02.2025, registered under Sections 22C-29-61-85 of the NDPS Act at Police Station Sadar, District Rewari.

2. Briefly summarised, the facts of the present case are that the above said FIR had been registered on the complaint moved by the ASI Sunil Kumar to the effect that on 03.02.2025, he alongwith other police officials were present on patrolling duty, when a secret information was received that one Bajinder Kumar Verma son of Koshish Ram Verma is involved in the trade of narcotic drugs. On receipt of the secret information, a raid was conducted and Bajinder Kumar Verma was apprehended. On his search, 16 boxes of Avil Injection were found in his bag and 28 boxes of



HICALM PLUS containing total 2800 tablets measuring 467.88 Grams of narcotic drugs were recovered. One mobile phone Vivo Blue Colour was also recovered from him. The petitioner was named in the disclosure statement of Bajinder Kumar Verma wherein he said that he had purchased the contraband from one Kamran Ashraf son of Mohammad Salman and one Abdul Haseeb son of Abdul Majid (petitioner herein).

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated on the basis of disclosure statement of the accused- Bajinder Kumar Verma from whom recovery has already been effected. He contends that notwithstanding the petitioner having been taken into custody, there has been no recovery from him. Thus, the disclosure recorded by the police cannot be read into evidence against him. He further submits that the investigation in the present case is already complete and apart from the disclosure statement of main accused- Bajinder Kumar Verma, there is no other evidence to link the petitioner with the contraband. It is submitted that the petitioner has no criminal antecedents(s) and he is not involved in any other criminal case. He contends that the petitioner has already undergone actual custody for a period of 03 months and 28 days.

4. Learned counsel for respondent-State is not in a position to controvert the aforesaid aspect as regards the evidence against the petitioner being solely in the form of disclosure statement of main accused-Bajinder Kumar Verma. He is also not in a position to controvert that no other criminal case is registered against the petitioner and that investigation in the present case is complete and the final report has already been filed.



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5. I have heard the learned counsel appearing on behalf of the respective parties.

6. Taking into consideration absence of recovery, the status of the investigation, the stage of trial which is pending at a committal stage and also the period of custody undergone and no criminal antecedents, I deem it fit to allow the instant petition.

7. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

05.06.2025*Mangal Singh*

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