

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-38116-2025
Date of decision: 24.07.2025

RAMESH KUMAR @ RAMESH @ RINKU
....Petitioner

Versus

STATE OF HARYANA
...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Sandeep Kotla, Advocate for the petitioner.

Mr. Sunny Namdev, AAG, Haryana.

SANJAY VASHISTH. J.(Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
RAMESH KUMAR @ RAMESH @ RINKU	214	04.04.2025	20 of NDPS Act	Chandni Bagh	Panipat

2. Counsel for the petitioner contends that as per the case of the prosecution, petitioner was seen carrying an orange and white coloured plastic bag in his hand and on being searched, recovery of 3 kg.100 grams of ganja was recovered. He further submits that the recovered quantity is much less than the maximum quantity, which as per the NDPS Act is 20 KG.

He also submits that petitioner is stated to be inside the jail for the last more than 03 months and 17 days. He additionally submits that except of the



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present case, no other case of similar nature is found to be registered against the petitioner. Thus prays for grant of regular bail.

3. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 24.07.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

4. Learned State counsel contends that actual incarceration period of the petitioner, as of now is 03 months and 17 days. He further confirms that there is no other case registered against the petitioner of similar nature, except the one i.e. FIR No.114/2019, under Sections 420, 467, 468 and 471 of IPC, at Police Station Mirhachi, Etah. Also informs that challan was submitted on 27.05.2025 and process of recording of the statement is yet to start.

5. Taking into consideration all the facts and circumstances that petitioner is aged about 38 years, and is never found involved in his past in any other case of similar nature and that he has undergone 03 months and 17 days inside jail and also the truthfulness of the allegation is yet to be confirmed by the trial Court, I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

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7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

8. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

9. Petition stands disposed of.

24.07.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No