



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

257-A

CRM-M-38183-2025

Date of decision: 24.07.2025

SUMIT

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE H.S.GREWAL

Present: Mr. Dushyant Rana, Advocate, for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

H.S.GREWAL, J. (ORAL)

1. The petitioner is seeking the concession of regular bail under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 in case FIR No.0043 dated 19.02.2025 (Annexure P-1) under Sections 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on), registered at Police Station Mullana, District Ambala, Haryana.

2. The case of the prosecution is that co-accused Om Parkash @ Vicky was arrested and contraband recovered from him i.e. 50 strips (24 capsules in one strip) of Spasmed capsules (50 x 24= 1200 capsules) containing salt Acetaminophen, Tramadol HCL & Dicyclomine HCL and 90 strips (24 capsules in each strip) [90 x 24 = 2160 capsules] of Proximo Spas containing salt Acetaminophen, Tramadol Hydrochloride Dicyclomine Hydrochloride Capsules; total weight of the recovered 3360 capsules comes to 1 kg 941.8 grams. During investigation, it has come out



that the said contraband was to be supplied to one Sanjeev Kumar @Vicky and Mukul Moudgil and further alleged that he has brought the capsules from accused Zakir Hussain @ Zakir @ Kaif and on his disclosure statement, present petitioner-Sumit was named.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that apart from the disclosure statement, there is no other incriminating evidence against the petitioner which could fix him with the alleged recovery. The petitioner was arrested on 25.02.2025 and has undergone almost 05 months in custody and the trial is likely to take a long time to conclude as challan has not yet been presented. Learned counsel further submits that no useful purpose would be served by further incarceration of the petitioner and he be released on regular bail.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner in view of heavy recovery and he admitted that the petitioner is in custody for the last 5 months.

5. I have heard the learned counsel for the parties and perused the relevant material placed on record.

6. In view of the above submissions of learned counsel for the petitioner and the fact that the petitioner is in custody for the last 5 months, as of today as well as he is not involved in any other case and the trial is likely to take considerable long time; the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it a fit case to grant

the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is hereby ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of the same.

July 24, 2025
poonam

(H.S.GREWAL)
JUDGE

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