



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-50668-2025
Date of decision: 10.11.2025

RAMESH KUMAR

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Kushager Goyal, Advocate for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

YASHVIR SINGH RATHOR. J.(Oral)

1. Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.194 dated 9.8.2025 registered under Sections 21(b) of NDPS Act at Police Station Ding, District Sirsa.

2. On 10.09.2025, following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.194 dated 9.8.2025 registered under Sections 21(b) of NDPS Act at Police Station Ding, District Sirsa.

Brief facts of the prosecution case are that on 9.8.2025, one Vikas alias Vicky was apprehended by the police and 70.50 grams of Heroin was recovered from his possession without any permit or license which was taken into possession. During interrogation, he disclosed that Ramesh alias Ghola (petitioner) and Sandeep are his partners in the trade and they had given ₹ 1 lakh i.e. ₹ 50,000/- each to him to purchase Heroin and thereafter, he had purchased Heroin from a Nigerian national for a sum of ₹ 1,50,000/-. Apprehending arrest, the petitioner applied for anticipatory bail which has been rejected.



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Notice of motion.

Mr. Ramesh Kumar Ambavta, DAG, Haryana accepts notice on behalf of the State.

Learned counsel for the petitioner argued that the petitioner has been falsely implicated and he has been nominated as accused by the main accused namely Vikas alias Vicky from whom the alleged contraband has been recovered. The disclosure statement is not admissible in evidence and there is no evidence against the petitioner except the disclosure statement. Learned counsel next contended that the petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court and he may be extended concession of anticipatory bail.

On the other hand, learned State counsel has opposed by the bail and argued that the custodial interrogation of the petitioner is essential to find out source from where the contraband was arranged. The petitioner is a habitual offender and is involved in 5 more cases under NDPS Act and he does not deserve the concession of anticipatory bail.

*Learned counsel for the petitioner further contended that out of these 5 cases, he has been nominated as accused on the basis of the statement of the main accused in three cases and nothing was recovered from his possession and all the cases pertains to the same police station and he has been roped in time and again. In support of his contentions, learned counsel has cited the Judgment reported as Law Finder Doc.id# 2687409, 2025:NCPHHC:2121 titled as “**Sahil Joshi v. State of Punjab**” and order dated 20.08.2025 passed by Hon’ble Supreme Court in Criminal Appeal No.3640/2025 @ SLP (Crl) No.9190/2025 titled as ‘**Jugraj Singh v. State of Punjab**’. Learned counsel also placed on file the order dated 03.04.2025 passed by a Co-ordinate Bench of this Court in CRM-M-18403-2025 in the aforesaid case vide which bail application of aforesaid Jugraj Singh was rejected.*

Admittedly, no recovery has been effected from the petitioner and he was not named in the FIR. His name has cropped up in the disclosure



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*statement of co-accused from whom contraband was recovered. At this stage, there is no other material against the petitioner except disclosure statement of co-accused Sunita. In **Jugraj Singh's case (supra)**, 5kg heroin was recovered along with a sum of ₹17.50 lakh drug money and main accused had nominated said Jugraj Singh as the supplier and the Hon'ble Supreme Court had ordered his release on anticipatory bail observing that mere disclosure statement is not sufficient to connect him with the alleged occurrence. As such, it is a fit case wherein benefit of anticipatory bail should be extended.*

*Adjourned to **10.11.2025**. Meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions as envisaged under Section 482(2) of the BNSS [erstwhile Section 438(2) Cr.P.C.]:-*

- i) that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- ii) that 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/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioner shall not leave India without the prior permission of the Court;*
- iv) such other condition as may be imposed under sub-section (3) of Section 480, as if the bail were granted under that section."*

3. Status report dated 06.11.2025 by way of affidavit of Raj Singh, HPS, Deputy Superintendent of Police, (Law and Order), Sirsa, District Sirsa has been filed on behalf of respondent-State and the same is taken on record.

4. Today, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 10.09.2025 and is no longer required for further investigation.

5. In view of the aforesaid, the order dated 10.09.2025, whereby the



petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

- 6. Disposed of.
- 7. Pending misc application (s), if any, shall also stand disposed of.

10.11.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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