

2025:PHHC:155782



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

238

CRM-M-51602-2025 (O&M)
Date of decision: 11.11.2025

Abu Sanny Ola @ Abu Sunny Ola**...Petitioner**

Versus

State of Haryana**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Ashish Grewal, Advocate for
Mr. Ravi Malik, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 210 dated 07.05.2025, registered under Sections 22(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) and Section 14 of the Foreigners Act at Police Station Badshahpur, District Gurugram.

2. Brief facts of the case relevant for the disposal of the present petition are that on 07.05.2025, on the basis of a secret information, the petitioner, who is a Nigerian national, was apprehended by a police party and recovery of 12 grams of MDMA (Crystal) was effected from him. He was formally arrested at the spot. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner is facing trial for commission of aforesaid mentioned offence. He

2025:PHHC:155782



had moved an application before the trial Court for grant of regular bail but the same had been dismissed, vide order dated 18.08.2025.

3. Learned counsel for the petitioner has submitted that he has been falsely implicated in this case. In fact, the alleged recovered contraband was planted on him. He is not involved in any other case and has clean antecedents. Even otherwise, the quantity of the recovered contraband does not fall under commercial quantity, being 12 grams. The petitioner is in judicial custody since 07.05.2025. Trial will take considerable time to conclude. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Custody certificate of the petitioner has been filed by the respondent-State. It is submitted by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the matter.

6. The petitioner is in custody since 07.05.2025. The quantity of the contraband allegedly recovered from him does not fall under commercial quantity. Investigation has since been completed and challan has been filed. Conclusion of trial would take considerable time. The petitioner is not involved in any other case. Keeping in view the aforesaid facts, this Court is of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial

2025:PHHC:155782



Court/Duty Magistrate concerned and on the following conditions:-

- (i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever and shall appear before the learned trial Court on each and every date.
- (ii) he shall deposit his passport with the learned trial Court and shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) he shall appear before the learned trial Court as and when directed.
- (iv) he shall provide his local address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

7. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

11.11.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No