



CRM-M-55009-2025

-1-

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

CRM-M-55009-2025

Date of Decision: 03.12.2025

Vikram

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amit Choudhary, Advocate, for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.30 dated 01.02.2025, registered under Sections 20(b), 25, 29 of NDPS Act, 1985, at Police Station Narnaud, District Hisar.

2. Succinctly, facts of the case are that on 01.02.2025, the police party while on patrolling received a secret information to the effect that Ravindra @ Fauji, Dhola, Kala (petitioner), Rahul @ Rinku and Varun are indulged in business of smuggling of narcotic substance Ganja. It was informed that they are standing on the roadside near Government Hospital in village Gurana with their motorcycle and car. In case of raid, they could be arrested alongwith the contraband. On receiving the secret information, raiding team was constituted and reached at the place disclosed. On seeing the police, all the accused managed to escape as there was dense fog except Ravindra @ Fauji and he was apprehended. From his search 11.8 kgs of Ganja alongwith one pistol and 17 live cartridges were recovered. He failed to produced any licence regarding the possession of the same, and thus, on registration of the FIR, he was arrested. The investigation commenced.

During the investigation, Ravindra @ Fauji disclosed about the names of other co-accused including the petitioner, namely, Vikram, who escaped



from the spot. Thus, the petitioner was arrested on 13.05.2025. On the completion of the investigation, challan was presented. The petitioner approached the Court of learned Additional Sessions Judge, Fast Track, Special Court, NDPS Act, Hisar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 12.09.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that admittedly, the FIR was registered on the basis of secret information and there is violation of Section 42 of the NDPS Act. He submits that there is violation of mandatory provisions of Section 50 of the NDPS Act as well. It is submitted that no recovery has been effected from the petitioner and recovery of alleged 11.8 kgs of Ganja has been effected from the co-accused. He submits that even otherwise, the alleged recovery effected from the co-accused is of non-commercial quantity and thus, provisions of Section 37 of the NDPS Act are not attracted. To buttress his arguments, he submits that one co-accused has been granted regular bail by learned trial Court, whereas, one accused has been granted anticipatory bail by this Court. He has submitted that though the petitioner is involved in three other FIRs, however, he is on bail in the same. He, thus, submits that the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. She has submitted that



the petitioner alongwith other co-accused was specifically named in the secret information. She submits that though the contraband recovered falls under the non-commercial quantity, however, complicity of the petitioner was duly established during the investigation. On instructions, she submits that the investigation is complete, however, only challan is presented. She also affirms the fact that on co-accused has been granted regular bail, whereas another has been granted anticipatory bail. She has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that recovery in the present case was effected from co-accused Ravindra @ Fauji and 11.8 kgs of Ganja alongwith one pistol and 17 live cartridges were recovered from him. Thereafter, the petitioner was arrested on 13.05.2025. The contraband recovered is a non-commercial quantity. As submitted before this Court, the investigation is complete and challan is presented. The custody certificate would show that the petitioner has suffered incarceration of 06 months & 20 days as on 03.12.2025. It further shows that the petitioner is involved in three other FIRs, however, he is on bail in the same. Two co-accused are also stated to be on bail.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular

bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

03.12.2025

sharmila

Whether Speaking/Reasoned :

Whether Reportable

Yes/No

: Yes/No

(RAJESH BHARDWAJ)

JUDGE