

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

2025:PHHC:170553



CRM-M-59263-2025 (O&M)
Date of decision: 08.12.2025.

MOHAMMED KAISH @ ROCKY

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

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

Ms. Chhavi Sharma, AAG, Haryana

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.148 dated 09.05.2025, under Section(s) 22 (C) and 29
of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at
Police Station Sushant Lok, District Gurugram.

2 Learned counsel appearing on behalf of the petitioner contends

that Vishal Thakkar, co-accused of the petitioner, was arrested on 09.05.2025 for being in possession of 0.10 grams of LSD. The name of the petitioner surfaced in the disclosure statement made by the co-accused. He contends that taking into consideration the statutory provision including the Section 2 (vii-a) of the Narcotic Drugs and Psychotropic Substances Act, 1985, which defines the quantity, it was noticed that the quantity in question was an intermediate quantity and the said co-accused Vishal Thakkar was granted the concession of regular bail vide order dated 27.11.2025 passed by this Court in CRM-M-65518-2025. He contends that the petitioner was nominated as an accused on the basis of disclosure statement made by co-accused Vishal Thakkar and since no recovery has been effected from the petitioner, he be granted the concession of regular bail.

3 State counsel, on the other hand contends, that the petitioner is involved in other cases as well, however, none of these cases pertain to the NDPS Act. She, however, does not dispute the facts noticed above.

4 Having heard the learned counsel for the parties and taking into consideration that the co-accused Vishal Thakkar from whom the recovery had been effected in the present case has already been granted the concession of regular bail vide dated 27.11.2025 passed by this Court in CRM-M-65518-2025, and also noticing the period of custody undergone by the petitioner, the nature of allegations coupled with the fact that the accused was nominated in the present on the basis of disclosure statement of the aforesaid accused, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the

satisfaction of the Trial Court/Duty Magistrate, concerned.

5 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

6 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

December 08, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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