



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-65390-2024
Date of decision:-27.05.2025

ANKIT KUMAR
Versus
STATE OF HARYANA
... Petitioner
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr.Davneet Sangwan, Advocate, for the petitioner.
Mr. Amrik Singh Narwal, DAG, Haryana.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed reply by way of an affidavit dated 26.05.2025 of Deputy Superintendent of Police, Bilaspur (Yamuna Nagar), the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioners under 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
57	07.03.2024	22 (C), 29 of NDPS Act	Sadhaura, District Yamuna Nagar

3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has no concern with the allegations levelled in the FIR but has been nominated on the disclosure statement of



co-accused Krishan Pal. He submits that petitioner in custody since 16.08.2024, after completion of investigation, challan has already been presented in Court, wherein prosecution has cited 28 witnesses and till date none of them have been examined. He contends that except the said disclosure statement nothing substantive has come against the petitioner. He contends that even in the earlier case registered against the petitioner, he was nominated on the alleged disclosure statement of the same person and even no recovery was effected from the petitioner in that case too. He contends that co-accused Krishanpal has already been granted concession of bail vide order dated 03.03.2025 passed in CRM-M-53686-2024. Hence prayed for grant of bail to the petitioner.

5. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by arguing that petitioner is involved in heinous crime and considering the nature and gravity of offence, he is not entitled to concession of bail, hence prayed for dismissal of the bail petition.

6. After considering the rival contentions and perusing the record, it transpires that admittedly the petitioner was not named in the FIR but one Sarukh Khan was apprehended by the police from whom 880 capsules of Tarmadol were effected, on his disclosure statement one Krishan Pal was nominated and arrested but no recovery was effected from him. The petitioner has been nominated on the disclosure statement of the said Krishan Pal and even consequent to his arrest no recovery has been effected from the petitioner as well. The petitioner is in custody since 16.08.2024, after completion of investigation, challan has already been presented in



Court, wherein prosecution has cited 28 witnesses and till date none of them have been examined. Moreover, co-accused Krishanpal has already been granted concession of bail vide order dated 03.03.2025 passed in CRM-M-53686-2024. The conclusion of trial to ascertain criminal liability, if any, of the petitioner will take sufficient long time, as such, no purpose would be served by detaining petitioner in custody any longer.

7. Resultantly, in these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with the evidence of the prosecution in any manner.

8. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

10. Pending application(s) if any shall also stand disposed of.

(SANJIV BERRY)
JUDGE

27.05.2025

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No