



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-62810-2024

Date of decision: 19th March, 2025

Ravinder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vishal Jassal, Advocate for the petitioner.

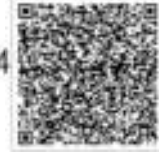
Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 301 dated 01.08.2024 registered under Sections 20 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS') at Police Station Ladwa, District Kurukshetra.

2. As per the allegations, on 01.08.2024, on the basis of a secret information, a barricade was laid and the petitioner along with the co-accused Ajay had been apprehended while riding on a bike. On conducting their personal search, nothing was recovered but on checking a polythene kept in between the seats of the motor bike, 01 kg and 10 grams of *charas* was found kept therein.

3. It is argued by learned counsel for the petitioner that he has



been falsely implicated in this case. A false recovery has been planted upon him. Trial would take time. He is in custody since 01.08.2024. He has clean antecedents. As per the FSL report, the sample was identified as *charas*, however, that report cannot be read to mean that the analysed stuff is *charas* and not other product of cannabis. With these broad submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. Learned Assistant Advocate General, Haryana has argued that there are serious allegations against the petitioner. Direct recovery of contraband of commercial quantity has been effected from him. The rigors of Section 37 of the NDPS Act would be attracted against the petitioner. There are chances of petitioner's absconding or committing similar offence, if extended benefit of bail. It is, thus, argued that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner was apprehended by the police party on 01.08.2024 and recovery of 01 kg and 10 grams of *charas* was effected from him. The rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. It is a matter of trial as to whether, the sample of contraband was *charas* and any other product of cannabis or not which cannot be taken into consideration at this stage. The trial is going at a proper pace and there is nothing on record to show that there would be any undue delay in conclusion of trial. The petitioner was nabbed at the spot and aforesaid recovery of contraband was effected from him. Keeping in view the criminal antecedents of the petitioner, the quantity of recovered



contraband, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail. Hence, the petition is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

19th March, 2025

Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |