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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-12349-2026
Date of decision: 13th May, 2026

Rahul Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ashok Giri, Advocate for the petitioner.
Mr. Neeraj Poswal, Assistant Advocate General, 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. 224 dated 11.08.2025 registered under Section 22-C of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '*NDPS Act*') (Sections 27-A and 29 of NDPS Act added later on) at Police Station Baldev Nagar, District Ambala.

2. The aforementioned FIR was registered on the allegations that on 11.05.2025, on receipt of a secret information to the effect that accused Rocky was engaged in the business of selling intoxicant capsules in the vicinity of Ambala City and on that very day also, he was to sell the same to some persons, a raiding party was formed which laid a barricade. The above named

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Rocky was apprehended. Upon conducting his search, one blue coloured polythene bag was found being carried by him. On conducting search, 1248 intoxicating capsules of Proxiohm Spas total weighing 739.44 grams were found kept therein, which were taken into possession. Since he could not produce any licence or permit for the same, he was arrested.

3. As per the further allegations, the accused Rocky suffered a disclosure statement to the effect that the narcotic capsules had been supplied to him by the present petitioner. He suffered another disclosure statement to the effect that he used to sell the narcotic capsules on asking of his sister Babli and she used to give money to him for the purchase of the same. Consequently, offence under Section 27-A of the NDPS Act was added. Accused Babli as well as the present petitioner were arrested on 08.12.2025. The petitioner also suffered a disclosure statement admitting his involvement in the crime. Subsequently, co-accused Ghanshyam and Vishal Choudhary were also arrested. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in the present case on the basis of the disclosure statement of co-accused Rocky, which cannot be considered admissible in evidence. He is in custody since 08.12.2025. He is not required for further investigation. The trial is likely to take considerable time to conclude. No recovery has been effected at his instance. No useful purpose would be served by detaining him

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in custody any longer. It is, therefore, argued that he deserves to be released on bail.

5. *Per contra*, learned State counsel, while relying upon the status report, has vehemently argued that the active complicity of the petitioner in the commission of the subject offences stands fully established on the basis of the investigation conducted in the present case. The call detail records of the cell phones of accused Rocky, the petitioner, and co-accused Babli have been collected and as per the same, there were as many as 63 conversations between the accused Rocky and Babli during the period from 15.06.2025 to till 11.08.2025. On 11.08.2025, i.e. the date of occurrence, accused Babli had made 44 calls to the petitioner and 10 calls were made by the petitioner to the original source accused Ghanshyam Sharma. It is further argued that the antecedents of the petitioner are not clean as he is involved in one more case of similar nature. There are chances of his absconding or committing similar offences, if extended the benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

7. The petitioner, in connivance with his sister Babli i.e. co-accused, is alleged to have supplied contraband to co-accused Rocky after purchasing the same from co-accused Ghanshyam Sharma. The allegations *prima facie* prove the factum of active complicity of the petitioner in the crime on the

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basis of the call detail records, which show that several calls were exchanged between the petitioner and the co-accused during the relevant time. The case is at its nascent stage, as even charges have not been framed so far. Taking into consideration the antecedents of the petitioner, the nature of the allegations levelled against him, and the role attributed to him, this Court is of the considered opinion that he does not deserve to be extended the benefit of bail. Accordingly, the petition is dismissed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

13th May, 2026
Parveen Sharma

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