



CRM-M-29821-2026

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

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CRM-M-29821-2026
Decided on :29.05.2026

Anuj Kumar

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kawalpreet Singh Virk, Advocate for the petitioner.

Mr. Amish Sharma, Asst. A.G., Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 712 dated 26.12.2025, under Section 20 of NDPS Act (Section 29 of NDPS Act added lateron), registered at Police Station Sector 58 Faridabad.

2. Case of the prosecution is that, while the police party was on patrolling duty, it received secret information pursuant to which it reached near JCB Company, Sector 58, Faridabad. As per the information received, Wagon R car bearing registration No. HR55-AW-3963 was occupied by three persons, who upon inquiry disclosed their names as (i) Shahrukh, resident of Aligarh (U.P.); (ii) Nazim, resident of Bulandshahr (U.P.); and (iii) Afsar, resident of Faridabad.

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In the presence of Sh. Vivek Kund, HPS, Assistant Commissioner of Police, Mujesar, Faridabad, a search of the vehicle was conducted, during which two white plastic sacks were found lying on the rear seat of the car. Upon weighing, one plastic sack was found to contain 11.26 kg of ganja, whereas the other plastic sack was found to contain 10.116 kg of ganja, making the total recovery 21.142 kg of ganja along with the plastic sacks.

3. Learned counsel for the petitioner submits that petitioner was neither named in the FIR nor his name is disclosed by the secret informer. It is argued that only after registration of the FIR and arrest of the named accused, name of petitioner is surfaced on the basis of a disclosure statement.

It is further submitted that, on the basis of the supplementary disclosure statement dated 28.12.2025 made by accused-Shahrukh, petitioner was arrayed as an accused in the present case as being the supplier of the contraband, although in the earlier disclosure statements, two other persons namely Dev Thakur and Om Shiv had been named as suppliers.

Thus, learned counsel contends that the case of the prosecution is improbable in nature and that, except for the disclosure statement of coaccused-Shahrukh, no other incriminating material is collected by the Investigating Officer during the course of investigation. Accordingly, counsel prays for grant of regular bail to the petitioner.



4. On the other hand, learned State counsel submits that recovery effected in the present case is of commercial quantity of ganja, i.e., more than 20 kg, and therefore, rigours of Section 37 of the NDPS Act are attracted. It is further argued that petitioner, being the alleged supplier of the commercial quantity of ganja, is equally liable for the offence and the punishment prescribed under the NDPS Act. In these circumstances, learned State counsel prays for dismissal of present petition.

5. I have considered the submissions of both the sides and also perused the relevant material available on record.

6. Keeping in view the fact that petitioner is in custody since 02.01.2026, i.e., for a period of more than four months and twenty-seven days, and that apart from the disclosure statement, no other substantive evidence could be pointed out by learned State counsel at the time of hearing of the present petition, this Court finds merit in the prayer for bail.

It is also notice that although there is one other case registered against the petitioner i.e. Crime No. 0213/2024 under Section 8/20 of the NDPS Act registered at Police Station Madrak, District Aligarh, in which petitioner is stated to be on bail, there is no conviction recorded against him in any other case of similar nature.

Thus, without expressing any opinion on the merits of the case, and considering the totality of the circumstances, petitioner is held entitled to the concession of regular bail. Consequently, present petition

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is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

29.05.2026***Rashmi***

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