

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

2026:PHHC:087579



CRM-M-33519-2026 (O&M).
Date of decision: 16.06.2026.

ABHIMANYU KUMAR @ MONU

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

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

Present :- Mr. Anuj Malik, Advocate,
(Through Video Conference)
for the petitioner.

Mr. Paras Talwar, Sr. DAG, 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.441 dated 02.09.2025, under Section(s) 20(C) of the
Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police
Station Kurukshetra University, District Kurukshetra.

The aforesaid FIR was registered on the written report sent by
ASI Pawan Kumar, translated version of which reads as under: -

*"That on 02.09.2025, at approximately 05:00 P.M., I, ASI Pawan
Kumar, No. 757/KKR, Anti Narcotic Cell, Kurukshetra, was present*

near LNJP Government Hospital, Kurukshetra, while conducting patrol duty for the prevention and detection of crime, along with the accompanying officials, namely, SI Ashok Kumar, No. 1001/KKR; Head Constable Pradeep Kumar, No. 1039/KKR; Head Constable Naveen Kumar, No. 1060/KKR; and Special Police Officer Surender Kumar, No. 317/KKR. The said official party was travelling in a Government vehicle bearing Registration No. HR-07GV-9766, a Bolero, being driven by Head Constable Praveen Kumar, No. 486/KKR. That whilst so engaged, a special informer approached the deponent, ASI Pawan Kumar, and furnished secret information to the effect that two individuals, namely, Abhimanyu Kumar, son of Bhagat Lal, resident of Martipur, District Araria, Bihar, and Mukesh Kumar Sharma @ Mukesh Kumar, son of Ghanshyam, resident of village Martipur, District Araria, Bihar, are persons who are habitually engaged in the procurement of Ganja from the State of Bihar at lower prices and its subsequent supply at higher prices within the district of Kurukshetra and its surrounding areas. That the said informer further disclosed that on the said date itself, the aforementioned accused persons, Abhimanyu Kumar and Mukesh Kumar Sharma @ Mukesh Kumar, had brought with them a substantial quantity of Ganja, and were at that time stationed near the Bus Stand, Narakathari, on the Kurukshetra–Pehowa Road, with the intent of supplying the said contraband to some person or persons, and were in possession of a heavy bag, black in colour with green-coloured lines thereon, while appearing to be awaiting movement to some destination. That the informer further apprised that if immediate action were taken to apprehend the said persons at the aforesaid location, along with the bag in their possession, a substantial quantity of Ganja was likely to be recovered therefrom. The information so received was considered credible and reliable. That upon receipt of the said information, a notice under Section 42(2) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') was separately prepared, and the said information was forthwith transmitted to the Station House Officer, Police Station City, District

Kurukshetra, through SPO Surender Kumar, No. 317/KKR. That on a prima facie consideration of the information so received, an offence under Sections 20, 61, and 85 of the NDPS Act appeared to be made out against the said persons. That accordingly, the present written report was dispatched through SI Ashok Kumar, No. 1001/KKR, to Police Station City, District Kurukshetra, with a requisition that a formal case be registered thereunder, that the FIR number be communicated upon registration, that a special report of the case be forwarded to the superior officers concerned, and that a separate Investigating Officer be deputed to the scene of occurrence for the purposes of further investigation."

Learned counsel appearing on behalf of the petitioner relies upon the order dated 19.05.2026 passed in CRM-M-2649-2026 by the Coordinate Bench of this Court vide which co-accused Mukesh Kumar Sharma @ Mukesh Kumar has already been granted regular bail. He further submits that the petitioner is in custody since 02.09.2025 and has already undergone an actual custody for a period of around 9 months and as such, he be released on regular bail.

State counsel, on the other hand, does not dispute the period of custody already undergone by the petitioner and that case of the petitioner would be at par with the co-accused to whom concession of regular bail has already been granted by this Court vide order dated 19.05.2026 passed in CRM-M-2649-2026.

Having heard the learned counsel for the parties and taking into consideration the period of custody undergone by the petitioner, the stage of the trial and the fact that the co-accused namely Mukesh Kumar Sharma @ Mukesh Kumar has already been granted regular bail by this Court vide order

dated 19.05.2026 passed in CRM-M-2649-2026, 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.

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.

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.

June 16, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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