



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

213

CRM-M-69113-2025 (O&M)
Date of decision : 16.02.2026

Jarif

..... Petitioner(s)

VERSUS

State of Haryana

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Imtiyaz Hussain, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG Haryana.

SURYA PARTAP SINGH, J. (Oral)

This is first petition for pre-arrest bail filed by the petitioner with regard to a case arising out of FIR No.191 dated 07.08.2025, registered under Sections 20(b)(2)-61-85 of Narcotic Drugs and Psychotropic Substances Act at Police Station, Mundkati, District Palwal.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being on 07.08.2025, when a police party headed by ASI Nasirajuddin, on the basis of a tip-off, apprehended the main accused, namely Pankaj @Sonu, and from his possession 10.900 kg ganja was recovered.

3. Vide order dated 08.12.2025 the petitioner(s) was admitted to interim anticipatory bail, subject to the condition of furnishing bail/surety bonds to the satisfaction of Investigating Officer. It was also directed that the petitioner shall join the investigation.



4. It has been submitted by learned counsel for the petitioner(s) that in compliance with order dated 08.12.2025, the petitioner(s) has joined the investigation.

5. The learned State Counsel has filed the status report. The same be taken on record. The learned State Counsel on the instructions of SI Harvinder Singh has submitted that although the petitioner has joined the investigation but his custodial interrogation is required as the petitioner has not cooperated during the course of investigation. According to learned State Counsel with the assistance of petitioner firstly, the mobile phone used for conversation with other accused has to be recovered and secondly, the whereabouts of other co-accused have to be placed. It has also been contended by learned State Counsel that the petitioner has multiple cases pending against him.

6. With regard to above, the learned counsel for the petitioner has contended that except the present case, there is no other case pending against the petitioner under NDPS Act and that in the present case also nothing has been recovered from the possession of petitioner and he has been implicated on the basis of disclosure statement of the co-accused only.

7. In view of the facts and circumstances of the present case, it transpires that:-

- i. that nothing has been recovered from the possession of petitioner, and he has been simply implicated on the basis of disclosure statement suffered by the co-accused. The abovementioned disclosure statement of co-accused was recorded when the maker of it was in police custody. Thus, there is a question mark with regard to credibility and



admissibility of abovementioned disclosure statement in evidence;

- ii. that quantity of contraband recovered from the possession of co-accused is 10.900 kg of ganja, which although above the upper threshold meant for small quantity, yet the same is less than the lower limit fixed for commercial quantity. Thus it is non-commercial quantity;
- iii. that nothing is left to be recovered from the possession of petitioner;
- iv. that trial of the case is not likely to be concluded in near future;
- v. that detention of petitioner in judicial lock-up is not likely to serve any purpose;
- vi. that custodial interrogation of the petitioner is not likely to produce a fruitful result;
- vii. that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- viii. that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

8. Taking into consideration the cumulative effect of all the abovementioned factors, the order dated 08.12.2025, granting anticipatory bail to the petitioner, is hereby made absolute. The present petition stands disposed of accordingly.

16.02.2026

Vinod

(SURYA PARTAP SINGH)
JUDGE

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No