



CRM-M-73332-2025

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

CRM-M-73332-2025

Date of Decision: 30.03.2026

Govind @ Ajay @ Gobind Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vikas Bishnoi, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.146 dated 19.02.2025, registered under Sections 21-(b) of NDPS Act, 1985, at Police Station Sadar Hisar, District Hisar.

2. Succinctly, facts of the case are that on 19.02.2025, the police party while on patrolling received a secret information to the effect that Vijay Singh is involved in the business of selling heroin. It was informed that Vijay Singh would sell heroin to Ravi Singh and Ajay Kumar at his house and in case of raid, they all could be arrested alongwith the contraband. On receiving the information, raiding team was constituted and raid was conducted at the place disclosed. Three persons were found to be sitting there and on the basis of suspicion, they all were apprehended by the police party. On asking, they disclosed their names to be Vijay Singh, Ravi Singh and Ajay Kumar. On giving offer under Section 50 of the NDPS Act, their search was conducted and 62.87 grams of heroin was recovered from the possession of Vijay Singh, 10.08 grams of heroin was recovered from the possession of Ajay Kumar and 19.96 grams of heroin was recovered



from the possession of Ravi Singh. They failed to produce any licence regarding the possession of the same, and thus, on registration of the FIR, they were arrested on the spot. The investigation commenced. Samples taken were sent to the FSL. During investigation, complicity of the petitioner, namely, Govind @ Ajay @ Gobind Singh was surfaced on the disclosure statement of Vijay Singh and he was arrested on 11.10.2025. The petitioner approached the Court of learned Additional Sessions Judge, Fast Track, Special Court, NDPS Act, Hisar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 11.12.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that alleged recovery of 91.19 grams of heroin has been recovered from co-accused, namely, Vijay Singh, Ravi Singh and Ajay Kumar and the petitioner has been arrayed as an accused on the disclosure statement of Vijay Singh, which is not even an admissible evidence. He submits that even otherwise, alleged total recovery effected from the co-accused is 91.19 grams of heroin, which is a non-commercial quantity and provisions of Section 37 of the NDPS Act are not attracted. He further submits that even otherwise, the alleged recovery has been effected in violation of Section 50 of the NDPS Act and thus, false implication of the petitioner is writ large. He submits that though the petitioner is involved in 3- other cases, however, he is on bail in those cases. He, thus, has submitted



that in the overall facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. He submits that the petitioner is a habitual offender. It is submitted that during the investigation, complicity of the petitioner was surfaced as he was found to be the supplier of the contraband recovered from the co-accused. On instructions, he has submitted that out of total 17 prosecution witnesses, no witness has been examined till date. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that as per the case of the prosecution, FIR in the present case was lodged on the basis of secret information. The petitioner has been arrayed as an accused on the basis of disclosure statement of co-accused. From the co-accused recovery of 91.19 grams of heroin was recovered, which is admittedly a non-commercial quantity. The custody certificate would show that the petitioner has suffered incarceration of 05 months & 18 days as on 29.03.2026. It further shows that the petitioner is involved in four other cases, however, in two cases, he is on bail, whereas, in one case he has been acquitted. No witness has been examined out of total 17 prosecution witnesses.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and

perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

30.03.2026

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No2