



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

231

CRM-M-28812-2025

Date of decision: May 28<sup>th</sup>, 2025

Dharampal

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. K.L. Saini, Advocate  
for the petitioner.

Mr. Rajat Gautam, Additional Advocate General, Haryana.

**MANJARI NEHRU KAUL, J. (ORAL)**

Prayer in the instant petition (second) is for grant of regular bail to the petitioner in FIR No.265 dated 04.04.2024 under Section 20 of the NDPS Act registered at Police Station Assandh, District Karnal.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 08.04.2024 after he was nominated as an accused following his name surfacing in the disclosure statement made by co-accused Krishan, from whom a recovery of 1.100 kilograms of *charas* was effected. It has been submitted that no recovery of any contraband was made from the petitioner after he was arrested, which clearly points to his false implication in the present case. Learned counsel has further submitted that after the charges were framed on 30.10.2024, the trial had not proceeded further as none of the 16 prosecution witnesses have been examined till date. Hence, the petitioner deserves the concession of bail.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has submitted that a specific secret information was received qua the involvement of co-accused Krishan in the sale and purchase of *charas*. Following the secret information when the co-accused was apprehended after due compliance with all the mandatory provisions of The NDPS Act, a recovery of 1.100 kilograms of *charas* was effected, which has been classified as commercial under The NDPS Act. It has been further submitted by the learned State counsel, on instructions, that during the interrogation of co-accused, it came to light that the petitioner is the supplier of the recovered contraband. Learned counsel for the State has submitted that there is no question of the petitioner being falsely implicated in the present case; the petitioner is a habitual offender as this is not the first time that he has been booked in a case under The NDPS Act. It has been submitted that the petitioner was already on bail in two other cases registered against him under The NDPS Act when he was yet again nominated as an accused in the present case. Learned counsel has submitted that there is a genuine apprehension that the petitioner could yet again misuse the concession of bail by getting himself involved in some other case under The NDPS Act and hence, he does not deserve the concession of bail.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. Although the petitioner was not shown to have been present with co-accused Krishan from whom recovery of 1.100 kilograms of *charas* was effected, however, his name surfaced in the disclosure statement. This Court concurs with the submissions made by the learned

State counsel that the petitioner *prima facie* comes as a habitual offender and the possibility of him again misusing the concession of bail cannot be ruled out. Furthermore, the trial is proceeding at a considerably good pace and there is every likelihood that the trial would not take much time to conclude.

6. In the facts and circumstances as enumerated hereinabove, this Court is not inclined to extend the concession of bail to the petitioner. Accordingly, the instant petition stands dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**May 28<sup>th</sup>, 2025**  
*Puneet*

**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No