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

CRM-M-10771-2025

Date of decision : 02.04.2025

Ritik

.....Petitioner

versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Parveen Sharma, Advocate  
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

**RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.412, dated 09.10.2024, under Section 21(b) of Narcotic Drugs & Psychotropic Substances Act, 1985, (Section 29 of NDPS Act and Section 14(a) of The Foreigners Act, 1946 added later on), registered at Police Station Gannaur, District Sonapat (Haryana).

2. Succinctly the facts of the case are that the police party while on patrolling on 09.10.2024, received a secret information to the effect that 03 young boys, namely, Ashish @ Himanshu @ Bobby, Ritik (petitioner) and Chandan were coming from the back side of Raunak Public School on the motorcycle brand Pulsar and going towards Gannaur City and in case of barricading, the boys could be arrested along with the contraband. On finding the secret information reliable, notice under Section 42 of NDPS Act was prepared and barricading was laid. Then the police party saw a motorcycle as disclosed on which 03 boys were



coming, who were stopped. On asking, they disclosed their names as Chandan, Ashish @ Himanshu and Ritik (petitioner). They were suspected to be carrying some contraband and thus the offer was given to them for their search. On conducting the search, 49.66 grams of heroin was recovered from the pocket of Ashish @ Himanshu, whereas on the search of Ritik, 3.86 grams of MDMA was recovered from his pocket. No contraband was recovered from the search of Chandan. The boys failed to produce any licence regarding the conscious possession of the same and thus were arrested on the spot. On registration of the FIR, the investigation commenced. The samples taken were sent to the FSL. The petitioner approached the Court of learned Additional Sessions Judge, Sonipat praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Sonipat declined the petition filed by the petitioner vide his order dated 11.02.2025. Hence being aggrieved the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of co-accused Ashish @ Hemanshu @ Bobby. He has drawn the attention of this Court to the order passed by this Court in CRM-M-13892-2025 dated 26.03.2025 whereby co-accused of the petitioner, namely, Ashish @ Hemanshu @ Bobby has been granted the concession of regular bail. He has submitted that case of the petitioner is at par with the co-accused, who has been granted bail by this Court. He submits that on the basis of the parity, the petitioner deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who has already been granted bail by this Court.



4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has placed on record the custody certificate of the petitioner which shows that petitioner has undergone actual sentence of 05 months and 23 days as on 01.04.2025. It further reflects that petitioner is not involved in any other case. However, he affirms that co-accused Ashish @ Hemanshu @ Bobby has already been granted regular bail by this Court vide order dated 26.03.2025 passed in CRM-M-13892-2025. He, on instructions from ASI Sandeep, has submitted that investigation is complete, challan has been presented, charges have been framed and out of 11 prosecution witnesses, none has been examined till date.

5. After hearing counsel for the parties and perusing the record, it is deciphered that on registration of the FIR, investigation commenced and petitioner was arrested on 09.10.2024. As submitted investigation is already complete, challan has been presented, charges have been framed and out of 11 prosecution witnesses, none has been examined till date. Co-accused Ashish @ Hemanshu @ Bobby has already been granted regular bail. Custody certificate filed by the State shows that petitioner has undergone actual sentence of 05 months and 23 days as on 01.04.2025. It further reflects that petitioner is not involved in any other case.

6. The veracity of the allegations would be assessed only after 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 sufficiently 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 on the basis of parity with co-accused, Ashish @ Hemanshu



@ Bobby who has already been granted regular bail by this Court vide order dated 26.03.2025 passed in CRM-M-13892-2025. 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. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

**02.04.2025**  
*m.sharma*

**( RAJESH BHARDWAJ )**  
**JUDGE**

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