



CRM-M-1893-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**CRM-M-1893-2025 (O&M)****Date of decision : 11.3.2025**

Rahul Kumar

... Petitioner

VERSUS

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Munish Behl, Advocate, for the petitioner.
Mr. Karan Garg, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.0184 dated 25.10.2024 registered under Sections 20 of NDPS Act (Section 29 of NDPS Act added later on) at Police Station Panjokhra, District Ambala.

2. The allegations in nutshell are that co-accused Deepak was apprehended by the police along with 12 kg and 700 grams of *ganja* on 25.10.2024. Thereafter, the present petitioner was nominated as accused on the basis of the disclosure statement suffered by aforesaid Deepak.

3. On the last date of hearing, it was brought to the notice of the Court by the counsel for the petitioner that the aforesaid recovery comes under non-commercial quantity and further, the disclosure statement, if any, suffered by co-accused against the present petitioner is inadmissible in evidence and further, rigors of Section 37 of NDPS Act are not attracted to the instant case. Resultantly, the petitioner was granted interim bail with direction to join investigation with the police.



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4. Today, counsel appearing on behalf of the petitioner apprised the Court that in compliance of the said order, the petitioner has joined investigation with the police and he is already enlarged on bail in one another criminal case faced by him under NDPS Act and copy of the concerned bail order is Annexure P-4.

5. State counsel on instructions from SI Kulwinder Singh submits that the petitioner, who has joined investigation, is no longer required for purpose of further investigation by the police. State counsel has also not disputed the fact that the petitioner who is involved in one another case under NDPS Act, is already given benefit of regular bail by Court concerned.

6. In view of the fact that recovery effected in the present case comes under non-commercial quantity and thus, is not covered under stringent provisions of Section 37 of NDPS Act. Further, veracity and admissibility of the disclosure statement, if any, suffered by co-accused against the present petitioner will be tested during trial and therefore, no purpose is going to be served even if the petitioner is subjected to custodial interrogation at this point of time.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 16.1.2025 is hereby made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

(KARAMJIT SINGH)
JUDGE

March 11, 2025

Paritosh Kumar

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