

IN THE COURT OF D. R. CHALIA, SPECIAL JUDGE, UNDER NDPS
ACT, CHARKHI DADRI (UID No.HR0065).

HRCD010029112026



CIS No. BA-472-2026
Bail application No.217 of 2026
Date of Institution: 28.07.2026
Date of decision: 05.08.2026

Devender alias Kalia, aged 31 years, son of Sant Lal, resident of village
Samaspur, Tehsil and District Charkhi Dadri.

..... Applicant-accused.

Versus

State of Haryana.

.....Respondent.

FIR No. 121 dated 22.05.2026
Under Sections: 20(b) (II)A, 20 (b) (II) B, 21 (b), 27 A, 29
NDPS Act.
Police Station: Sadar Dadri

**Second Application for bail under Section 483 of B.N.S.S. for
grant of regular bail.**

Present: Sh. Nitin, learned PP for the State-respondent.
Sh. Dharamraj, Advocate for the applicant-accused Devender
alias Kaliya.

ORDER:

This order of mine shall dispose of second application for regular
bail under Sections 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 filed by
applicant-accused in the above noted case.

2- Notice of the bail application has been issued to respondent-State
and reply has already been filed. Both the parties have been heard and material
collected by the police perused.

3- Brief facts of the case are that on 22.05.2026, ASI Avneet, alongwith HC Omveer, HC Anil and driver Constable Sanjay of government vehicle bearing registration No. HR19GV-3003, equipped with a laptop and printer, was present near Charkhi Bus Stand, Village Charkhi, in connection with crime and patrolling duty. During the course of patrolling, a reliable secret informer met the police party and informed that Kuldeep son of Suresh, resident of Daigoda Jat, District Mahendragarh, is engaged in the purchase and sale of narcotic substances, charas, ganja and smack (heroin) and he had come to Village Charkhi about 2–3 days earlier to the house of his maternal uncle and that he would shortly proceed from the side of the pond towards Charkhi Bus Stand carrying charas. If a naka (barricade/checking point) is conducted near the pond in Village Charkhi, the said Kuldeep could be apprehended along with the narcotic substance. The information was considered reliable and credible. The informer was separated from the police party. Notice under Section 42 of the NDPS Act was prepared and sent through HC Anil No. to the Police Station for compliance. Thereafter, ASI Avneet along with the police party and government vehicle, reached near the pond in Village Charkhi and laid a naka. After waiting for some time, a person was seen approaching from the side of Charkhi Bus Stand towards Village Charkhi carrying a light purple coloured bag in his hand. On seeing the police party, he attempted to turn back and flee. However, ASI Avneet with the assistance of fellow police officials, apprehended him. Upon inquiry, he disclosed his name as Kuldeep son of Suresh, resident of Daigoda Jat, District Mahendragarh. A notice under Section 50 of NDPS Act was served upon him

and thereafter further proceedings were carried out where upon Sh. Ramesh Kumar, DSP Badhra reached at the spot and on checking of bag of accused, 122 gram Charas, 149 gram Ganjha Patti and 9 gram Hoerine (Chitta) was recovered and he was taken into custody. On its basis, a formal FIR has been registered and investigation has been launched. Thereafter, investigation was further conducted. During investigation, applicant-accused was nominated as accused on the basis of disclosure statement of co-accused Kuldeep and also disclosed about his involvement in the commission of crime.

4- It is argued by learned counsel for applicant-accused that applicant-accused has been falsely implicated in this case and he has committed no offence whatsoever as alleged in FIR. It is further argued that first application of applicant-accused was dismissed by this Court on 12.06.2026. It is further argued that there is no iota of evidence to connect the applicant-accused with the alleged offence and there is no sufficient evidence on file against him. It is further argued that nothing has been recovered from the possession of applicant-accused, if any, shown by the police, same is false and fabricated. It is further argued that recovery of contraband shown from co-accused Kuldeep, son of Suresh, i.e. 122 grams Charas and 9 grams Heroine are intermediates quantity and 149 grams Ghanja patti is a small quantity. It is further argued that applicant-accused was not named in FIR and was arraigned as an accused only on the basis of disclosure statement of co-accused Kuldeep. It is further argued that all witnesses are official witnesses and applicant-accused shall not directly or indirectly make any inducement, threat or promise to any person. The applicant-accused shall abide by all terms and

conditions imposed by the Hon'ble Court and shall not misuse the concession of bail. It is further argued that applicant-accused is in custody since 03.06.2026 and trial is not likely to conclude soon. It is further argued that co-accused Deepak alias DC was granted interim bail in the present case by the Hon'ble High Court, Chandigarh vide order dated 14.07.2026 and co-accused Ravinder Pal Singh alias Dholiya and Kuldeep alias Balhara were granted concession of regular bail from this Court vide order dated 16.06.2026 and 21.07.2026 respectively. At the fag-end, it is argued that no further incarceration of applicant/accused is required for any investigation purpose and applicant/accused may be released on bail.

5- Per contra, learned Public Prosecutor for the State has strongly opposed grant of bail to applicant-accused. It is further argued that applicant-accused is not an innocent bystander but an active participant in the narcotics syndicate. It is further argued that the present applicant-accused had purchased 250 grams of Charas and 70 grams heroine from co-accused Deepak, son of Vinod alias Banti for a consideration of ₹1,00,000/- and had supplied 200 grams charas and 50 grams heroine to co-accused Pardeep alias Dhillal, Kuldeep alias Balhara and Pardeep alias DC for a sale consideration of ₹1,40,000/-. It is further argued that during investigation ₹ 4290/- were recovered from the possession of applicant-accused. It is further argued that applicant-accused is a previous convict in FIR No. 37 dated 26.03.2013, under Sections 332, 353, 307, 216, 34 IPC and Sections 25/54/59 of the Arms Act, which reflects his criminal antecedents. He has further argued that one co-accused is yet to be arrested, and the investigating agency is tracing the source

and larger network of narcotic trafficking. It is further argued that in case applicant-accused is released on bail, then he may abscond from trial, may again indulge in such like cases and may overawe prosecution witnesses. At the fag end, it is prayed that present regular bail application may be dismissed.

6- I have considered submissions of both the sides and have gone through the case file minutely and meticulously.

7- Perusal of file shows that 122 grams Charas, 9 grams Heroine (Intermediate quantity) and 149 grams Ghanja (Small quantity) were recovered from co-accused Kuldeep, son of Suresh, on receiving secret information, within the area of Police Station Sadar Dadri. The allegations against applicant-accused are that applicant-accused had purchased 250 grams of Charas and 70 grams heroine from co-accused Deepak, son of Vinod alias Banty for a consideration of ₹1,00,000/- and had supplied 200 grams charas and 50 grams heroine to co-accused Pardeep alias Dhillia, Kuldeep alias Balhara and Pardeep alias DC for a sale consideration of ₹1,40,000/- and during investigation ₹4290/- were recovered from the possession of applicant-accused. However, alleged recovery of contraband from co-accused Kuldeep i.e. 122 grams Charas and 9 grams Heroine falls under intermediates quantity and 149 grams Ghanja falls under small quantity. Applicant-accused is continuing in custody since 03.06.2026 and nothing more is left to be recovered from him. Challan has already been filed and the case is at the stage of framing of charge. Trial of case shall take long time to conclude and no useful purpose would be served by keeping applicant-accused further in judicial custody. Hence, without commenting on merits of the case, present

application for regular bail stands allowed and applicant/accused Devender alias Kaliya is ordered to be released on bail on his furnishing bail bonds in sum of ₹ 1,00,000/- with one local surety in the like amount to the satisfaction of this Court/Duty Judge, Charkhi Dadri, subject to following conditions:-

1. The applicant-accused shall appear before the Court on each and every date of hearing unless specifically exempted by law.
2. The applicant-accused shall not leave India without prior permission of the Court and shall furnish his address and mobile number by way of an affidavit to this Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the Court.
3. The applicant-accused shall not involve himself in any offence of a similar nature during the pendency of trial and shall maintain peace and good behaviour. In case he is found involved in any offence of a similar nature or violates any of the above conditions, it shall be open to the prosecution to move an appropriate application seeking cancellation of bail.
4. The applicant-accused shall mark his attendance before concerned Police Station every Monday between 10:00 A.M. and 12:00 Noon. In case of violation of this

condition, it shall be open to the prosecution to move an application for cancellation of bail, which shall be considered in accordance with law.

8- Needless to say any observation while disposing bail application will not have any effect on the merits of the case. Record of the bail application be tagged with main case file.

Announced in open court:

Date of order 05.08.2026

(D. R. Chalia)
Special Judge under NDPS,
Act, Charkhi Dadri.
(UID No.HR0065)

Ashish; Stenographer Gr.II

Devender alias Kaliya Versus State of Haryana

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Present: Sh. Nitin, learned PP for the State-respondent.
Sh. Dharamraj, Advocate for the applicant-accused Devender
alias Kaliya.

Arguments have been heard.

Vide my separate order of even date, present application for
regular bail filed by applicant-accused has been allowed. Record of the bail
application be tagged with main case file.

Announced in open Court:

Dated: 05.08.2026.

(D. R. Chalia)
Special Judge under NDPS,
Act, Charkhi Dadri
(UID No.HR0065)

Ashish; Stenographer Gr.II