

CNR No.HRFB010113122026

CIS No.BA-7036-2026

Boby Sharma vs. State of Haryana

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**In the Court of Sudhir Jiwan (UID No.HR00087), Addl. Sessions
Judge, Faridabad.**

CIS No.BA-7036-2026

Presented on : 03-08-2026

Registered on : 03-08-2026

Decided on : 12-08-2026

Boby Sharma aged 19 years son of Dharmender Sharma resident of House
No. 24A, Village Nilothi, Nangloi, West Delhi-110041

.....Applicant/Accused

Versus

State of Haryana.

.....Respondent

FIR No. : 290 dated 14.05.2025

U.Ss. : 22 C of NDPS Act

Police Station : Surajkund, Faridabad.

3rd Bail application under Section 483 B.N.S.S.

Present: Sh. Dinesh Kumar, Advocate for the applicant/accused.
Sh. Jagbir Berwal, Learned Public Prosecutor for State.

Order:

Reply to bail application filed. Copy given.

2. Heard on third bail application of applicant/accused Bobby
Sharma who has been arrayed for committing the offence under Section
22-C of NDPS Act.

3. Reply to the bail application was filed by the State.

4. Prosecution case in nutshell is that on 13.05.2025 when search of applicant/accused Bobby Sharma was carried out by the police in the presence of Sh. Gajender Singh, ETO, Faridabad. 100 boxes containing 24000 capsules, each box was containing 240 capsules of Tramadol Hydrochloride, Dicyclomine Hydrochloride and Paracetamol were recovered from applicant/accused Bobby Sharma without any permit or license. During interrogation, applicant/accused Bobby Sharma told the police that the above psychotropic capsules were given to him by owner of Vaishnav Pharma First Floor, No.9, Block C, Mangolpuri Flyover Ind. Area Phase New Delhi i.e. Ibrahim. During investigation it also came to the notice to the police that accused Rahul and Ibrahim are partners in M/s Vaishnav Pharma. Ibrahim and Rahul during investigation suffered disclosure statement to the effect that above psychotropic capsules were given to them by Rajneesh accused/applicant. It also came to the notice of the police that the demand of above psychotropic capsules was fulfilled by Maxilla Madisciences Pvt. Ltd. Plot No.14,15,16 Express Industrial Park, Gam-Oed Near Pirana Gate Circle S.P. Ring Road Pirana Ahmadabad Gujarat and company Qness Pharmaceuticals. In the investigation it is also found that money was deposited by accused Rahul in the bank account of accused/applicant through UPI.

5. Bail application of applicant/accused has been strongly opposed by Learned Public Prosecutor for State. Public Prosecutor has submitted that earlier bail application of accused/applicant was dismissed

by the Hon'ble High Court vide order dated 14.05.2026 on the ground that " During investigation, as also detailed in the aforesaid status report, it has surfaced that accused/petitioner-Ibrahim @ Raju (in CRM-M-1694-2026) is holding a licence to run a chemist shop and that co-accused/petitioner -Rahul (In CRM-M-73555-2025) had also invested money in the said business. As per the status report, an amount of ₹ 1,33,294/- was transferred by him into the GST account of Vaishno Pharma through 10 UPI transactions on different dates.

Another payment of ₹ 37,400/- was also allegedly made by accused/petitioner-Rahul into the account of co-accused- Rajnish Sharma, who, in turn, used to supply the intoxicant capsules to Vaishno Pharma".

Therefore, bail application of accused/applicant be dismissed.

6. Learned counsel for the applicant/accused has submitted that applicant/accused is innocent and has been falsely implicated. The applicant/accused is languishing in jail since 13.05.2025. Bail of co-accused Rajneesh Sharma, Rahul and Ibrahim @ Raju have already been taken by this court vide orders dated 10.02.2026, 08.06.2026 and 15.07.2026 respectively. Therefore, the applicant/accused be also released on bail.

7. This Court has heard both the counsel.

8. The prosecution case is that main applicant/accused Bobby Sharma during investigation told that the Tramadol capsules, psychotropic capsules were given to him by the owner of Vaishnav

Pharma First Floor NO.9, Block C, Mangolpuri Flyover Industrial Area Phase, New Delhi. During investigation Ibrahim and Rahul suffered disclosure statements to the effect that they are partners in M/s Vaishnav Pharma and psychotropic capsules were given to them by co-accused Rajneesh. During investigation it also came to the notice of the police that demand of above psychotropic capsules was fulfilled by Maxilla Madisciences Pvt. Ltd. Plot No.14,15,16, Express Industrial Park, Gam-Oed Near Pirana Gate Circle S.P.Ring Pirana Ahmadabad Gujarat and company Qness Pharmaceuticals. But the prosecution case is totally silent with regard to the role of M/s Maxilla Madisciences Pvt. Ltd. and Qness Pharmaceuticals. These companies are the main manufacturer and supplier of psychotropic capsules and tramadol capsules. Rahul was granted bail by this court vide order dated 08.06.2026 . In the aforesaid order it was stated that “It is not disputed that no contraband was ever recovered from accused/applicant. The bank transaction between accused/applicant Rahul and Rajnessh Sharma does not by itself raises the presumption that Tramadol Hydrochloride capsules were supplied to accused/applicant Rahul by Rajneesh Sharma. The case of the accused/applicant is on the same footing as that of co-accused Rajneesh Sharma. Accused/applicant is in custody since 16.07.2025. No useful purpose would be served by keeping the accused/applicant in custody. Therefore, the bail application of applicant/accused is stands allowed.”

9. The allegations with regard to supply of Tramadol capsules

to applicant/accused Bobby Sharma would have come to rest if the matter was properly investigated by the police by joining Maxilla Madisciences Pvt. Ltd. and Qness Pharmaceuticals Company who are the main supplier and manufacturer of the Tramadol capsules. But the prosecution case is silent in this regard. Resultantly, the prosecution has failed to complete chain with regard to supplier of Tramadol capsules to applicant/accused Bobby Sharma. The accused/applicant is in custody since 13.05.2025 i.e. approximately 14 months. The prosecution has already filed final report under Section 193 of BNSS. No case of recovery or investigation has been made out by the prosecution against accused/applicant.

10. It is settled law that each day custody of the accused in jail is a fresh cause of action for seeking the bail. The co-accused have already been released on bail.

11. Taking into consideration the above facts, applicant/accused is admitted to bail on furnishing bail bonds in the sum of ₹ 2,00,000/- with one surety in the like amount to the satisfaction of Learned Illaqa Magistrate/Duty Magistrate. A copy of this order be sent to concerned Court for information. Present bail application be attached with the main case file.

Announced in open Court.

(Sudhir Jiwan),
Addl. Sessions Judge,
Faridabad. 12.08.2026
(UID No.HR00087)

Asha Rani