



**Chet Ram Vs State of H.P.
Cr. MP(M) No. 1806 of 2025**

26.08.2025 Present: Mr. Rahul Kumar and Mr. Mayank Rana and Mr. Rajat Thakur, Advocates, for the petitioner.

Mr. Lokender Kutlehria, Additional Advocate General, for the respondent-State.

The petitioner has filed the present petition for seeking regular bail, in FIR No. 131 of 2024, dated 17.11.2024, registered at Police Station Palampur, District Kangra, H.P., for the commission of offences punishable under Sections 20, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (ND&PS Act).

2. The main ground taken by the petitioner for seeking his release on bail is that the grounds of arrest were not communicated to him. He has relied upon the information of arrest in support of his plea, which mentions that HC Sudesh Kumar No. 79, Investigating Officer, Police Station Palampur, arrested Chet Ram on 17.11.2024, at 12:30 pm at Chadhiar Chowk. He would be detained in police custody in the Police Station, Palampur. He should inform the name of the person who should be

apprised of his arrest. The State did not file any document to show that the grounds of arrest were communicated to the petitioner.

3. The Hon'ble Supreme Court has reserved judgment regarding the furnishing of grounds of arrest in every case, including offences punishable under the IPC, in *Mihir Rajesh Shah v. State of Maharashtra, SLP (Crl.) No. 17132 of 2024, vide order dated 22.4.2025*. The Hon'ble Supreme Court had not decided this question in *State of Karnataka v. Hemant Dutta, SLP (Crl.) No. 9295 of 2025 vide order dated 26.6.2025* and waited for the outcome of the decision.

4. *Prima facie*, the plea taken by the accused that the grounds of arrest were not communicated to him appears to be correct and is supported by the memo of arrest. No contrary document was filed by the State showing that the grounds of arrest were communicated to the petitioner. Hence, pending the decision of the matter by the Hon'ble Supreme Court, the petitioner is ordered to be released on interim bail till further orders, subject to his furnishing bail bonds in the sum of ₹1,00,000/- with one surety in

the like amount to the satisfaction of the learned Trial Court. While on bail, the petitioner will abide by the following conditions:-

- (I) The petitioner will not intimidate the witnesses, nor will he influence any evidence in any manner whatsoever.
- (II) The petitioner shall attend the trial on each and every hearing and will not seek unnecessary adjournments.
- (III) The petitioner will not leave the present address for a continuous period of seven days without furnishing the address of the intended visit to the SHO concerned, the Police Station concerned and the Trial Court.
- (IV) The petitioner will surrender his passport, if any, to the Court; and
- (V) The petitioner will furnish his mobile number and social media contact to the Police and the Court and will abide by the summons/notices received from the Police/Court through SMS/WhatsApp/Social Media Account. In case of any change in the mobile number or social media accounts, the same will be intimated to the Police/Court within five days from the date of the change.

5. It is expressly made clear that in case of violation of any of these conditions, the prosecution will have the right to file a petition for cancellation of the bail.

6. The matter be listed immediately after the decision in *Mihir Rajesh Shah (supra)*.

(Rakesh Kainthla)
Judge

26 August, 2025
(Pramod)