



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

CRM-M No.26188 of 2024 (O&M)

Date of decision: 5th August, 2024

Karan Singh @ Vicky

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nagar Singh, Advocate for
Mr. Anirudh S. Shera, Advocate for the petitioner.
Mr. Gagandeep S. Chhina, Asst. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.185 dated 10.04.2024 under Sections 20, 29-A, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Thanesar, District Kurukshetra.

2. Learned counsel for the petitioner submits that the false implication of the petitioner in the present case is evident from the fact that firstly in the secret information allegedly received by the police the petitioner was not named; secondly, the petitioner has no criminal antecedents much less being involved in a case under the NDPS Act; thirdly, the petitioner came to be nominated as an accused in a disclosure statement allegedly suffered by two co-accused, from whom recovery of 1 kg and 100 grams of Charas was allegedly affected; and lastly, on being



arrested no recovery of any narcotic substance or any drug money was affected from him. Learned counsel has argued that the disclosure statement, on the basis of which the petitioner has been nominated as an accused, has very poor evidentiary value and on this ground itself, he deserves to be extended the concession of bail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed that the petitioner has clean antecedents and has never been involved in any other criminal case, much less under the NDPS Act. It has also not been disputed by the learned State counsel, on instructions, that no recovery of any narcotic substance/contraband was affected from the petitioner after he was arrested on 10.04.2024. However, learned State counsel has argued that when the co-accused were arrested following a secret information, they claimed that the recovered contraband had been supplied to them by the petitioner.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner has now been in custody since 10.04.2024; concededly, he was neither named in the secret information received by the police nor was any recovery of contraband affected from him on being arrested. In the facts and circumstances as enumerated hereinabove, coupled with the fact that the petitioner has no criminal antecedents, this



Court, thus, deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6. Needless to add here, in case the petitioner misuses the concession of bail, the State would be at liberty to approach this Court for cancellation of bail in the instant case.

(MANJARI NEHRU KAUL)
JUDGE

August 5, 2024
rps

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