



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

214

**CRM-M-3379-2025
Decided on : 27.01.2025**

Sikander

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mohan Singh Chauhan, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner, who has been booked for having committed the offences punishable under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, in FIR No. 231, dated 30.07.2024, registered at Police Station Parao, District Ambala, Haryana, during the pendency of trial.

2. Learned counsel for the petitioner contends that as per the case of the prosecution in the secret information two accused were named i.e. Chetan @ Nanu and Suraj @ Passi. On conducting raid, from the possession of co-accused namely; Suraj @ Passi 260 gms of Heroin was recovered. In furtherance of recovery, he disclosed the name of one Raj Kumar from whom he received the contraband. In the disclosure statement of Raj Kumar, name of the present petitioner-Sikander was also involved by assigning him role of 'supplier'.

3. Learned counsel for the petitioner further submits that neither

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any recovery has been effected from the petitioner; nor he was involved in any other similar activity in his past, however, he being involved in other criminal cases under IPC and being known to the police, has been dragged in the present case under NDPS Act.

4. Learned counsel for the petitioner also informs the Court that petitioner is medically unfit and he has been taken number of times to the hospital and in last ten days taken to PGI also. He also submits that after completion of investigation, challan was presented before the concerned Court on 29.11.2024, thus, prays for release of the petitioner on regular bail.

5. On the other hand, learned State counsel confirms the factual aspects as addressed by learned counsel for the petitioner and submits that after framing of charges the process of evidence is yet to start.

6. Considering the totality of circumstances and the fact that no recovery has been effected from the petitioner and there is no other case against the petitioner under the provisions of NDPS Act, the prayer made in the present petitions is allowed. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

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9. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 27,2025***rashmi***

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*