

**CRM-M-6443-2025(O&M)****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

113

CRM-M-6443-2025(O&M)**Decided on:26.08.2025****Adarsh****.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Sandeep Saini, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.**CRM-22642-2025**

i) Present application has been filed under Section 528 of BNSS, for placing on record the bail orders dated 28.08.2024, 07.03.2025 and 24.02.2025 as Annexure P-6 to P-8.

ii) For the reasons enumerated in the application, same is allowed and the orders are taken on record as Annexures P-6 to P-8. Registry is directed to tag the same at appropriate place with the paper-book.

CRM-M-6443-2025

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), seeking regular bail in FIR No. 96 dated 19.02.2023, under Section 22(c) and 29 of NDPS Act, registered at Police Station Old Industrial, Panipat, Haryana.

2. Learned counsel for the petitioner submits that petitioner is implicated in the present case solely on the basis of the disclosure

**CRM-M-6443-2025(O&M)****2**

statement of co-accused Shubham Joshi, which lacks independent corroboration. No tangible evidence or incriminating material has been recovered from the petitioner himself.

Counsel further submits that it is well settled that a disclosure statement made by a co-accused, unless fully corroborated by independent evidence, cannot be the sole basis for implicating another accused. In the present case, the petitioner's involvement appears to rest exclusively on such an uncorroborated disclosure, which cannot sustain the allegations against him.

Learned counsel further submits that other co-accused, namely Shubham Joshi and Aasim, whose names surfaced pursuant to the disclosure statement, have already been granted the concession of regular bail by the co-ordinate bench of this Court vide orders dated 24.02.2025 (P-8) and 07.03.2025 (P-7), passed in CRM-M-57342-2023 and CRM-M-11643-2025 respectively.

However, co-accused Nitin Gupta was granted bail on medical grounds vide order dated 28.08.2024 (P-6).

3. Learned counsel appearing on behalf of the State submits that the petitioner is a key accused and supplier of the narcotic substance and involved on the basis of a voluntary and credible disclosure statement made by co-accused Shubham Joshi. Such disclosure statements have led to significant breakthroughs in the investigation, including identification of the petitioner's role as a supplier in the commission of the offence. Learned State counsel further submits that the grant of bail to other co-accused does not entitle the petitioner to be

**CRM-M-6443-2025(O&M)****3**

released on bail, as a matter of right, as the evidence and role of each accused differ significantly.

4. Having heard learned counsel for the parties and perused the record, it appears that the petitioner is implicated primarily on the basis of the disclosure statement of co-accused Shubham Joshi, and no substantive evidence or recovery has been made from the petitioner himself. The disclosure statement, without independent corroboration, cannot be the sole basis to deny bail or continued custodial detention.

It is further noticed that other co-accused, including Shubham Joshi and Aasim, have already been granted regular bail by this Court, and co-accused Nitin Gupta has been released on bail on medical grounds. In light of these circumstances, and considering the principles of fairness and the right to liberty, the prayer for bail deserves to be allowed.

Consequently, present petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, if not required in any other case.

5. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.



CRM-M-6443-2025(O&M)

4

6. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

7. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 26, 2025
rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**