



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104

CRM-M-8078-2025
Decided on : 20.02.2025

Simranjit Singh . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Madan Sandhu, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana
assisted by SI Dashrath, 81/BWN
P.S. Sadar Bhiwani, Distt. Bhiwani.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Simranjit Singh	251	11.05.2024	18, 29 of NDPS Act, 1985 (Section 201 of IPC added later on	Sadar Bhiwani	Bhiwani

2. On the previous date of hearing i.e. 18.02.2025, while hearing learned counsel for the petitioner, following order was passed:-

“ CRM-M-8078-2025

SIMRANJIT SINGH VS. THE STATE OF HARYANA

Present: Mr. Manda Sandhu, Advocate
for the petitioner.

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 18, 29 of NDPS Act (Section 201 IPC was added later on), in FIR No. 251, dated 11.05.2024, registered at Police Station Sadar Bhiwani, District Bhiwani, during the pendency of trial.



2. *Learned counsel for the petitioner contends that as per the case of prosecution, there was secret information and main accused namely; Jaman Ganjhu was nabbed and thereupon, recovery of 1.20 Kg of opium was affected from his possession. On the basis of disclosure statement of said accused, another accused namely; Kaleshwar Yadav was also involved in the case. In the disclosure statement suffered by said co-accused-Kaleshwar Yadav, the name of present petitioner surfaced.*

3. *Counsel for the petitioner also contends that though the main accused is inside jail but co-accused Kaleshwar Yadav, on whose disclosure statement, the petitioner is implicated in the present case was released on bail by the co-ordinate bench of this Court vide order dated 28.08.2024, thus, prays for grant of regular bail.*

4. *On the other hand, learned State counsel argued that the trial is in progress and out of total 14 prosecution witnesses, 08 have been examined. Learned State counsel could not dispute that co-accused namely, Kaleshwar Yadav @ Kailu has already been granted the concession of regular bail by the co-ordinate Bench of this Court. Learned State counsel informs that the petitioner is involved in other similar cases also, which are mentioned in paragraph No.26 of the petition, thus, opposes the prayer made by the petitioner.*

5. *Upon this, counsel for the petitioner responds and submits in all the cases mentioned in paragraph No. 26 of the petition, petitioner was involved on the basis of disclosure statements. In FIR No. 783 dated 24.12.2020, under Sections 17, 27 of NDPS Act, registered at Police Station Sirsa, District Sirsa, and in FIR No.435 dated 25.12.2020, under Section 17 of NDPS Act, registered at Police Station City, Sirsa, petitioner was released on anticipatory bail vide order dated 04.08.2021 and in FIR No. 488 dated 16.07.2022, under Section 17 of NDPS Act, registered at Police Station Civil Lines, District Sirsa, petitioner has already been released on regular bail by learned Sessions Court, Sirsa. Counsel further submits that FIR No. 109 dated 21.02.2021 under Section 25 of Arms Act, registered at Police Station City, Sirsa, petitioner has been released on bail, thus, there being no substance in the allegations levelled against the petitioner time and again on the basis of weak kind of evidence and again petitioner has been involved in the present case as an accused.*

6. *Learned counsel for the petitioner submits that trial is yet to commence by recording the statement of 18 prosecution witnesses, thus, contradicted the information received by learned State counsel on already recording of eight prosecution witnesses out of total of 14 witnesses.*

7. *Adjourned to 20.02.2025*

8. *To be shown in the urgent list."*

3. Today, after verifying the proceedings before the Trial Court, the learned State counsel submits that a separate trial was going on *qua* two of the accused, who were arrested earlier and in that trial, out of total 14 prosecution witnesses, 08 have been examined.

On the basis of disclosure statement of co-accused Kaleshwar Yadav, petitioner was arrested subsequently and a separate challan was submitted *qua* him on 28.01.2025. Charges were framed on 04.02.2025.

There are total 18 prosecution witnesses, and as of now, none has been



examined.

4. Considering the facts presented and recorded on 18.02.2025 (as reproduced above), stage of the trial, as explained today by the learned State counsel, and the fact that the petitioner's involvement in almost all the cases is based on disclosure statements, which are yet to be proved by the prosecution, and that petitioner is yet to be convicted in a criminal case, I deem it appropriate to grant the concession of bail to the petitioner.

5. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, 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.

6. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

7. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

8. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 20, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No