

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

2025:PHHC:040777



(232)

CRM-M-9077-2025

Date of Decision: 25.03.2025

Naresh Kumar

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. J.P. Dhull, Advocate for petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of regular bail, filed under Section 483 BNSS, in case FIR No.557, dated 09.11.2024, under Sections 29, 22, 61, 85 of NDPS Act, registered at Police Station, Kurukshetra University, District Kurukshetra.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of a disclosure statement allegedly suffered by co-accused Rakesh from whom a recovery of 1700 tablets of Alprazolam was allegedly effected. Counsel contends that the disclosure statement on the basis of which he has been arrayed as accused in the present case holds little evidentiary value and it needs to be appreciated in the light of petitioner having no previous criminal antecedents. It has been further submitted that, although, a secret information was received qua the involvement of co-accused Rakesh in drug trafficking, however, no such secret information was received qua the

petitioner. Counsel has still further submitted that since the investigation in the present case is complete and challan also stands presented, further incarceration of the petitioner, in the given circumstances would serve no useful purpose as charges are likely to be framed on the next date of hearing i.e. 27.03.2025; in addition as many as 9 prosecution witnesses have been cited.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions has not disputed that no secret information was received qua the involvement of the petitioner in drug trafficking. It has also not been disputed that the petitioner, who came to be nominated as an accused in the disclosure statement allegedly suffered by co-accused, is not involved in any other criminal case much less under the NDPS Act and furthermore on being arrested, no recovery of any contraband or even drug money was made from the petitioner. Learned State counsel, on further instructions, has not disputed the stage of trial.

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

5. Undisputedly, the petitioner has no previous criminal antecedents. The investigation in the present case is complete qua the petitioner as challan stands presented. The trial would take considerable time to conclude as charges are likely to be framed only on the next date of hearing coupled with the fact that as many as 9 prosecution witnesses have been cited.

6. In view of the facts and circumstances enumerated hereinabove, this Court deems it fit to admit the petitioner to bail.

7. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

25.03.2025

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