



CRM-M-9868-2025

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

CRM-M-9868-2025
Decided on: 12.11.2025

Chandan

.... Petitioner

versus

UT, Chandigarh

.... Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gaurav Datta, Advocate
for the petitioner.

Mr. Manish Bansal, PP, UT, Chandigarh.

Sanjay Vashisth, J. (Oral)

1. Instant petition, under Section 483 of BNSS, 2023, has been filed for grant of regular bail to the petitioner in case FIR No.115 dated 28.07.2023 under Section 21 of NDPS Act (Section 27-A and 29 of NDPS Act, 1985, Section 25/54/59 of Arms Act and Section 201 of IPC added later on) registered at Police Station South, Sector 34, Chandigarh.

2. Learned counsel for the petitioner argues that petitioner's name is not mentioned in the FIR in question, however, his name was surfaced during investigation, based upon the disclosure statement made by co-accused Puneet Kumar. While getting confused whether the petitioner's name is disclosed by co-accused Jagjeet @ Jagga Puneet Kumar, learned counsel refers the Final Report (Annexure P-2) submitted by the investigating agency and appended with the petition and from there reads out that on 03.08.2023, co-accused Puneet Kumar had disclosed the fact that petitioner-Chandan used to sell heroin, which is received from across the Border and many a times, he



(Puneet) has purchased heroin from him and sold the same further. Learned counsel further submits that co-accused Puneet Kumar, who allegedly disclosed the name of the petitioner, has already been granted the concession of bail vide CRM-M-16766-2025 by noticing that he has undergone the incarceration period of about 01 year, 11 months and 10 days inside jail.

Learned counsel for the petitioner further argues that no other NDPS case was ever registered against the petitioner in past and moreover, he has already suffered sufficient incarceration period inside jail i.e. 2 years, 2 months and 26 days and even trial is not moving at its required pace, because out of 34 prosecution witnesses, till date, none has been examined. As far as recovery from the possession of the petitioner is concerned, non-commercial quantity of heroin i.e. 107.52 grams has been recovered from him along with the alleged drug money amounting to Rs.78,38,200/-. However, both the said recoveries are yet to be established by the prosecution, which would depend upon the qualitative evidence, if any, led by it. Thus, he prays for grant of concession of bail to the petitioner.

3. On the other hand, learned Public Prosecutor submits that once huge drug money in lakhs of rupees has been recovered from him, it can be very well be understood that the petitioner is active in the illegal drug business. He further argues that after disclosure of his name by his co-accused, there is a recovery of 107.52 grams of heroin and he is also found to have handed over Rs.6.5 lakhs to one of the *Hawala* operator, namely Money Kalra (another co-accused), who has also been granted the concession of bail by this Court in CRM-M-16483-2025 and thus, prays for dismissal of the bail petition.



4. I have heard learned counsel for the parties and gone through the relevant record and also perused the bail order dated 18.07.2025 passed in regard to the co-accused Puneet Kumar and Money Kalra in CRM-M-16766-2025 and CRM-M-16483-2025 respectively. Also noticed that petitioner has remained inside jail for sufficient custody period of 2 years, 2 months and 26 days and out of 34 prosecution witnesses, none has been examined till date. In such a situation when other co-accused, who disclosed his name, have already been ordered to be released on bail, there is no point in prolonging the petitioner's detention inside jail for any longer period.

5. Taking into consideration the circumstances in its entirety and the facts/allegations levelled against the petitioner and the facts noticed hereinabove, this Court deems it appropriate to grant the concession of bail to the petitioner.

6. Accordingly, present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing bail bonds/two heavy local surety bonds each, to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, if not required in any other case.

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. Any of the discussion done and recorded hereinabove, shall not be construed as an expression of opinion on the facts or merit 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.

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

12.11.2025
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(SANJAY VASHISTH)
JUDGE

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