



CRM-M-11695-2025

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

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Decided on: 07.03.2025

Pardeep Kumar Tomar @ Pradeep Kumar Tomar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. R.N. Lohan, Advocate and
Mr. Ajay Kumar, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, for grant of regular bail to the petitioner, who has been booked for having committed the offences punishable under Sections 22(C) and 29 of NDPS Act, in FIR No.33 dated 13.01.2025, registered at Police Station Samalkha, District Panipat, during the pendency of trial.

2. Learned counsel for the petitioner *inter alia* contends that in the present case alleged recovery of 12 Buprenorphina Leegesic (2 ml each) injections was effected from one Sandeep, subsequently, in the disclosure statement of Sandeep name of one Dharambir was involved and in his disclosure statement, name of present petitioner has surfaced. Counsel submits that on the basis of solitary disclosure statement, the allegations have been levelled that petitioner had supplied the injections to Dharambir and from Dharambir to main accused from whom recovery was also effected. Counsel submits that chances of succeeding of the

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prosecution solely upon the inadmissible evidence i.e., disclosure statement of co-accused, are almost nil as there is no other supportive evidence with the prosecution despite petitioner having been subjected to the custodial interrogation. Counsel submits that the petitioner is in custody since 16.01.2025 and his further incarceration is not required for any meaningful purpose by the prosecution. Counsel also submits that petitioner has clean antecedents as there is no other case against the petitioner, thus, prays for grant of regular bail.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner in the Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

Learned State counsel submits that petitioner being supplier of the injections which ultimately were recovered from co-accused namely Sandeep, is connected with the crime, therefore, petitioner does not deserve any leniency and prays for dismissal of the present petition.

5. I have heard learned counsel for the parties and considered the submissions addressed by them. Despite having been asked by the Court, learned State counsel is unable to point out any other evidence collected by the prosecution agency after arrest of the present petitioner in support of the version mentioned in the disclosure statement of Dharambir.

This Court has noticed the fact that there is no other case registered against the petitioner and culmination of trial would most likely to take considerable time, therefore, petitioner cannot be kept behind bars



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for indefinite period, this Court deems it appropriate to consider the plea of the petitioner.

6. 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. 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.

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

March 07, 2025
rashmi

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