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

CRM-M-12193-2025

Date of Decision: 10.03.2025

Azad alias Mannu

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the second petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.73 dated 15.04.2024 registered under Section 22-C, 61 of NDPS Act (Section 29 NDPS Act added later on), at Police Station Dhauj, Faridabad.

2. As per the case set up by the prosecution, on the basis of a secret information, Aleem, co-accused was arrested in the present case along with 11 injections Buprenorphine Leegestic (2 ml each). As per the recovery memo, 11 injections of Buprenorphine Leegestic (2 ml each), i.e. 22 ML were recovered from Aleem and as per the provisions of NDPS Act, 20 grams of aforesaid drug was the "commercial quantity" of the contraband.

3. Learned counsel for the petitioner contends that Aleem is the main accused in the present case and he has been admitted to bail, vide order dated 10.02.2025 in CRM-M-65384-2024 (Annexure P-7) passed by this Court. He



further contends that the petitioner was not initially named as one of the accused in the present case and his name had surfaced in the second disclosure statement suffered by Aleem. The petitioner was arrested in the present case on 14.08.2024 and challan has already been presented against him. Apart from that, similarly placed co-accused, Naved alias Nabbi has also been granted the concession of bail by this Court, vide order dated 07.03.2025 passed in CRM-M-11729-2025.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner. However, he is not in a position to revert the arguments raised by learned counsel for the petitioner.

5. I have heard the learned counsel for the parties and perused the record.

6. It is not in dispute that the petitioner has been arrayed as an accused on the basis of the second disclosure statement made by Aleem, who has already been admitted to bail by this Court, vide order dated 10.02.2025 (Annexure P-7). The petitioner was arrested in the present case on 14.08.2024 and challan has already been presented against him. Thus, the conclusion of the trial may take quite a long time and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his



furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

10.03.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No