



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

300

CRM-M-12430-2025 (O&M)
Date of Decision:- 21.05.2025

NARAYAN LAL

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Raman Chawla, Advocate for the petitioner.

Mr. Amrik Narwal, DAG Haryana

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
506	08.08.2024	15(C), 27-A and 29 NDPS Act	Azad Nagar, District Hisar

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner is not named in the FIR and his name surfaced in the disclosure statements of co-accused Mukesh and Sanjay from whom 80 kg poppy husk was recovered. He submits that the petitioner has no concern with the alleged contraband and he is in custody since 15.01.2025



and even after his arrest, no recovery of contraband has been effected from him. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that the name of the petitioner surfaced in the disclosure statement of the co-accused, who were apprehended by the Police along with contraband. He submits that consequent upon the arrest of the petitioner, ₹11,000/- drug money was recovered from the possession of petitioner. Thus, prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution, on 08.08.2024 the police party apprehended co-accused Mukesh and Sanjay along with 80 Kg of poppy husk from their possession. During the course of their interrogation, they disclosed the name of the petitioner as the supplier of the contraband. Accordingly, the petitioner was arrested on 15.01.2025 and recovery of ₹11,000/- was effected from him. Admittedly, no contraband was recovered from the possession of the petitioner. After the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 26 witnesses, however, none has been examined till date. It is debatable as to whether ₹11,000/- recovered from the petitioner, were proceeds of the drugs trafficking or not, which can only be ascertained during trial and the conclusion thereof will take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.



6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, in future, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

21.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No