



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228

CRM-M-18842-2025
Decided on : 10.12.2025

KAMALJEET SINGH ALIAS BACHCHI
.....Petitioner
Versus
STATE OF HARYANA
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. V.B. Godara, Advocate,
for the petitioner.

Mr. Satbir Singh Goripuria, DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Kamaljeet Singh @ Bachchi	569	21.10.2022	21(b) and 27-A of NDPS Act	City Fatehabad	Fatehabad

2. Learned counsel for the petitioner contends that on the date of recovery, i.e., 21.10.2022, main accused, Mukesh Kumar, was found standing near motorcycle No.HR-22Q-0933. Upon conducting search of the accused, 25 grams and 40 milligrams of heroin, wrapped in a transparent polythene pouch, was recovered from the right pocket of



jeans worn by him. After registration of the case and arrest of Mukesh Kumar, a disclosure statement was recorded wherein petitioner's name was mentioned, alleging that it was the petitioner who had supplied the recovered contraband to Mukesh Kumar.

3. It is further submitted that except of the said disclosure statement, no other incriminating evidence has been collected during the investigation. Hence, chances of the prosecution succeeding solely on the basis of the disclosure statement are extremely weak.

4. Counsel for the petitioner also submits that the main accused, Mukesh Kumar, who allegedly received the contraband from the petitioner, has already been granted bail by this Court, vide order dated 21.03.2023 passed in CRM-M-1195-2023 (Annexure P-3). Thus, counsel prays for grant of regular bail to the petitioner in the present case.

5. On the other hand, learned State counsel, while opposing the prayer and submissions made by learned counsel for the petitioner, submits that petitioner is a habitual offender, as several other cases, including cases under the NDPS Act, are registered against him. He, therefore, prays for dismissal of the present petition.

6. In response, counsel for the petitioner contends that petitioner is already known to the local police officials and, as a result, he has been falsely implicated in multiple cases without any substantive evidence.

It is further argued that despite several NDPS cases having been registered against him, petitioner has never been convicted in any of them.



7. This Court has heard submissions advanced by counsel for the parties and has also perused the record available before it.

8. From the custody certificate dated 02.09.2025, filed by learned State counsel, it is observed that petitioner has remained in custody for approximately 1 year, 7 months, and 13 days in the present case, as on 02.09.2025, and though he is also facing trial in several other criminal matters, including cases under the NDPS Act. Recovery in the present case is 25.40 grams of heroin, which is significantly below the threshold of non-commercial quantity.

9. Considering the period of incarceration already undergone by the petitioner, quantity of contraband recovered, totality of the circumstances, and nature of allegations levelled against him, this Court deems it appropriate to extend the concession of bail to the petitioner in the present case.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, 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.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts 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.

12. 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.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

10.12.2025
Lavisha

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