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

CRM-M-22144-2025 (O&M)

Reserved on : 18.07.2025

Pronounced on : 23.07.2025

Shyam Singh**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Manvinder Sidhu, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J.

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 531 dated 04.10.2024, registered under Sections 15C, 18C, 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Thanesar Sadar, District Kurukshetra.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 04.10.2024, on the basis of secret information, co-accused Amarjit Singh and Raghbir Singh, while coming in a truck bearing registration number PB-11-BY-4028, were apprehended by a police party and recovery of 56 kgs. of poppy husk and 440 grams of opium was effected from the said truck. Both of them were formally arrested at the spot. Upon interrogation, co-accused Amarjit Singh disclosed that the recovered contraband was supplied to them by the present petitioner and the same was to be supplied to one Nachhattar Singh. On the basis of the said disclosure statement, the petitioner

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was nominated in this case as an accused and was arrested on 09.10.2024. At his instance, recovery of drug money of Rs.10,000/- was effected. After completion of necessary investigation and usual formalities, *challan* was presented in the Court on 25.02.2025 and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offences. He had moved an application for grant of regular bail before the learned trial Court but the same had been dismissed, vide order 12.03.2025.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He was neither named in the FIR nor was found at the spot. He has been nominated in this case on the basis of the disclosure statement suffered by co-accused Amarjit Singh, which is not admissible in evidence. No subsequent recovery of any contraband has been effected from the petitioner. He has clean antecedents and is not involved in any other case. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 09.10.2024. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Haryana has argued that keeping in view the gravity of the allegations, the petitioner is entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.

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6. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by above named co-accused Amarjit Singh. He was arrested on 09.10.2024 but no contraband is shown to have been recovered from him subsequent to his arrest. He has clean antecedents and is not involved in any other case. Investigation has since been completed and *challan* has been filed. However, no prosecution witness has been examined so far as even charges are yet to be framed, which means that conclusion of trial is likely to take time. Therefore, keeping in view the aforementioned facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

23.07.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No