**CRM-M-25398-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.208****Case No. : CRM-M-25398-2025****Decided On : July 11, 2025**

Kuldeep Petitioner
vs.
State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Diwan S. Adlakha, Advocate
for the petitioner.

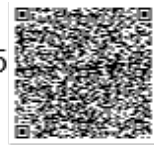
Mr. Arjun Lakhanpal, Addl. A. G., Haryana.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 is for grant of regular bail to the petitioner, in case FIR No.433 dated 09.09.2024, under Sections 22(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as – NDPS Act), registered at Police Station Sadar Yamuna Nagar, District Yamuna Nagar.

Briefly, the case of the prosecution is that on the basis of secret information, one Ravi Kumar was apprehended by the police, who was carrying 600 capsules of Tramadol Hydrochloride. After completing necessary formalities under the NDPS Act, said Ravi Kumar was arrested. During his interrogation, he made disclosure statement, wherein he stated that the petitioner namely Kuldeep was also involved in the crime. In these circumstances, the petitioner was arrested.



Learned counsel for petitioner contended that no recovery was effected from the petitioner. The petitioner has been nominated as accused only on the basis of disclosure statement suffered by co-accused Ravi Kumar, which is not admissible in law. The main accused Rohit Kumar Saini, from whom the petitioner and co-accused Ravi Kumar allegedly jointly purchased the above said capsules in question, has already been granted bail by a Co-ordinate Bench of this Court vide order dated 04.02.2025 passed in **CRM-M-58067-2024**. The petitioner is also in custody since last 09 months 29 days and is having clean antecedents. Since considerable time will be taken in conclusion of trial, so, no fruitful purpose would be served by keeping the petitioner in custody for any longer period. Therefore, learned counsel for the petitioner prayed that the petitioner be granted concession of regular bail.

While issuing notice of motion on 15.05.2025, respondent-State was directed to file Status Report and Custody Certificate. Status Report was filed on the last date of hearing i.e. 01.07.2025 and the same was taken on record.

Custody Certificate dated 10.07.025 of the petitioner has been filed today in the Court and the same is taken on record.

Per Contra, learned State counsel has opposed the bail petition while contending that the petitioner has been alleged to be supplier of contraband to co-accused Ravi Kumar, from whom police recovered 600 capsules of Tramadol Hydrochloride. So, he does not deserve the concession of bail.

I have heard the learned counsel for the parties and have also gone



through the case file.

Except the disclosure statement of co-accused Ravi Kumar, no other material has been placed on record to connect the petitioner with recovery of 600 capsules of Tramadol Hydrochloride, effected from said co-accused. The veracity of the aforesaid disclosure statement of co-accused Ravi Kumar will be considered during the trial. This fact is not disputed that no recovery of contraband has been effected from the petitioner, who, as per the Custody Certificate dated 10.07.2025, is in custody since 09 months and 29 days. As per the said Custody Certificate, no other criminal case has been registered against the petitioner. As trial of the case is likely to take considerable time, no useful purpose is likely to be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

July 11, 2025
monika

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.