**CRM-M-31485-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.224****Case No. : CRM-M-31485-2025****Decided On : August 26, 2025**

Dilshad Khan @ Raju Khan Petitioner
vs.
State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Ram Kumar Saini, Advocate
for the petitioner.

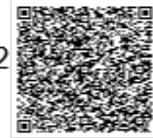
Mr. Pawan Kumar Garg, DAG, Haryana.

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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.0868 dated 14.11.2024, under Sections 21(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as – NDPS Act) (later on, Section 29 NDPS Act was also added), registered at Police Station Sector-58, District Faridabad.

The brief facts of the case are that on 14.11.2024, police received secret information that one Shakib used to sell illegal narcotic substance and if checking was done at disclosed place, he could be apprehended. Accordingly, believing the information to be true, on checking at disclosed place, the aforesaid Shakib was nabbed by police and from his possession, 1 kg 10 gms smack was recovered. He was arrested at the spot. During investigation, Shakib suffered his disclosure statement and named the



petitioner Dilshad Khan to be the supplier of the recovered smack. The petitioner was arrested on 28.11.2024.

Learned counsel for petitioner contended that the petitioner has been falsely implicated in the present case. He was not named in the FIR and his name cropped up in the present case only on the basis of disclosure statement of co-accused, which is not admissible in law. He has no concern with the alleged recovered contraband. No other case has been ever registered against the petitioner. He is having clean antecedents. He is in custody since 28.11.2024 and has already undergone custody of 08 months and 25 days and therefore, it has been prayed that the petitioner be released on bail.

Learned State counsel has opposed the bail petition while contending that the petitioner is directly involved in the present case, being supplier of alleged recovered contraband, on the basis of disclosure statement made by co-accused, from whose possession the contraband i.e. 1 kg 10 grams of smack was recovered. However, he has fairly admitted that there is no other case registered against the petitioner.

I have heard the learned counsel for the parties and have also gone through the case file.

The petitioner has been named by co-accused during disclosure statement. Apart from it, no other material has been placed on record to connect the petitioner with the alleged offence in the present case. The alleged recovery of 1 kg 10 grams of smack was effected from co-accused and nothing has been recovered from the petitioner. No other criminal case has been found to be registered against the petitioner, as per Status Report.



As per the Custody Certificate placed on record, the petitioner has already undergone custody of 08 months and 25 days, as on 22.08.2025. Trial of the case is going on and conclusion of the same is likely to take time. So, no useful purpose would 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.

Pending application(s), if any, shall stand disposed of along with the present petition.

August 26, 2025
monika

(SUKHVINDER KAUR)
JUDGE

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