

2025:PHHC:122176



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

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**CRM-M-32826-2025 (O&M)
Date of decision : 08.09.2025**

Virender @ Biru

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Ajay Shekhawat, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 663 dated 30.12.2024, registered under Sections 20B(II)(C) and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sadar, District Bhiwani.

2. Brief facts of the case relevant for the disposal of the present petition are that on 30.12.2024, on the basis of a secret information, co-accused Kuldeep @ Somi was apprehended by a police party and recovery of 51 kgs. 834 grams of Ganja was effected from him. Upon interrogation, he disclosed that he had purchased the recovered contraband from one Vikram son of Paras on 25.12.2024. Aforesaid Vikram and another Vikram son of Medaram were nominated in this case. They disclosed that the petitioner was indulged with them in commission of subject offences. On the basis of the

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same, the petitioner was nominated as accused and was arrested on 01.01.2025. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

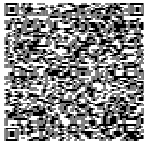
3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He was neither named in the FIR nor was found at the spot. He has been nominated in this case on the basis of the disclosure statement suffered by the above named co-accused, which is not admissible in evidence. No subsequent recovery is shown to have been effected from him. 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 01.01.2025. 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 along with the custody certificate of the petitioner has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. It is, thus, argued that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure made by above named co-accused. No subsequent recovery has been effected from him. He is not even shown to be involved in any other case.

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Investigation has since been completed and *challan* has been presented. Conclusion of trial would obviously take time as out of total 31 prosecution witnesses, only 01 witness has been examined so far. Keeping in view the aforesaid 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 his 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.

08.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No