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

CRM-M-33599-2025 (O&M)

Reserved on : 13.08.2025

Pronounced on : 19.08.2025

Parminder Singh @ Kala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Varun Gupta, DAG, Haryana.

MANISHA BATRA, J.

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. 159 dated 09.03.2025, registered under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) [Sections 18-B, 27-A and 29 of the NDPS Act added later on) at Police Station Sadar Thanesar, District Kurukshetra.

2. Brief facts of the case relevant for the disposal of the present petition are that on 09.03.2025, on the basis of secret information, co-accused Sharif Ali and Nasir Ali, while coming in a car bearing registration number HR-26-CP-6193, were apprehended by a police party and recovery of 03 kgs. 100 grams of opium was effected from them. They were formally arrested at the spot. Upon their interrogation, they disclosed that previously

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the present petitioner had purchased 01 kg. of opium from them for Rs. 1,30,000/- and even the recovered contraband was to be purchased by him, for which, he had already paid them an amount of Rs. 1,00,000/. On the basis of the same, the petitioner was nominated in this case as an accused and was arrested 12.03.2025. 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 aforesaid mentioned offences.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. The petitioner was neither named in the FIR nor was found present at the spot. He has been nominated in this case on the basis of the disclosure statement suffered by above named co-accuse, which is not admissible in evidence. The petitioner has clean antecedents as he is not involved in any other case. No subsequent recovery was effected from him. Even otherwise, investigation has since been completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 12.03.2025. 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. 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. 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 perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of

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the disclosure statement suffered by above named co-accused from whom, the aforesaid recovery of the contraband was effected. As per the allegations, the petitioner was to purchase the recovered contraband from the co-accused. Even if the allegations are taken to be true, it will be debatable whether the petitioner was willing to take the consignment or was prepared to accept it which did not happen but was anticipated. There is nothing on record to connect the petitioner with the subject crime except the said disclosure statement. Investigation stands completed and challan has been filed. Conclusion of trial would take considerable time. The petitioner is not shown to be involved in any other case. Even no subsequent recovery is shown to have been effected from him. Keeping in view the discussion as made above, I am of the considered opinion that no useful purpose would be served by keeping him 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.

19.08.2025*Waseem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*