

2025:PHHC:083688



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-35001-2025

Date of decision: July 11, 2025

SAMEER KHAN

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Sharma, Advocate and
Mr. Piyush Aggarwal, Advocate
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.546 dated 18.12.2024 under Sections 22C and 29 of the Narcotic Drugs and Pyschotropic Substances Act, 1985 , registered at Police Station Pinjore, District Panchkula (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner has no previous criminal antecedents, and therefore, it is evidently a case of false implication. It has been contended that although a secret information was received *qua* the involvement of co-accused Sukhchain Singh @ Gora, however, no such information was received *qua* the petitioner. The petitioner instead came to be nominated as an accused on the basis of a totally inadmissible piece of evidence i.e. disclosure statement of co-accused Jasbir Singh @ Jassa, who in turn was also nominated as an accused on the basis of disclosure statement of co-accused Sukhchain Singh



@ Gora. Learned counsel has, therefore, prayed that in the aforementioned facts and circumstances, moreso when the investigation is complete and challan also stands presented, further incarceration of the petitioner would serve no useful purpose as the trial would take considerable time to conclude with as many as 22 witnesses having been cited by the prosecution.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner nor has he disputed that investigation *qua* the petitioner is complete and he is at par with co-accused Uvais Ansari, who has since been enlarged on bail vide order dated 02.07.2025 passed by this Court. Learned State counsel, on instructions, has also not been able to controvert that the petitioner has no previous criminal antecedents and no secret information was received *qua* his involvement in drug trafficking and no recovery of any contraband was effected on his arrest on 01.04.2025 following his name surfacing in disclosure statement of co-accused Sukhchain Singh @ Gora. However, it has been submitted by the learned State counsel that a recovery of 800 tablets of Lomotel (commercial quantity) was effected from co-accused Sukhchain Singh @ Gora.

4. I have heard learned counsel for the parties and perused the relevant material placed on record.

5. The petitioner has been in custody since 01.04.2025. He is not stated to be involved in any other criminal case, much less under the NDPS Act. Concededly, no recovery of any contraband, much less Lomotel was



made from the petitioner after his arrest in the present case, following his name cropping up in the disclosure statement of co-accused Sukhchain Singh @ Gora. The trial is unlikely to conclude in the near future as none of 22 prosecution witnesses have been examined so far.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed, and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

July 11, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*