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

**CRM-M No.35753 of 2025
Date of Decision: 11.09.2025
Reserved on: 02.09.2025**

Jeet Ram

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jasinder Singh Sekhon, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The instant one is the second petition filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in case arising out of FIR No.37 dated 18.01.2022 registered under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (Sections 27-A, 31 and 29 of NDPS Act added later on) at Police Station Thanesar Sadar, District Kurukshetra. The first petition filed by the petitioner bearing CRM-M No.41513 of 2024 had been dismissed as withdrawn by a Coordinate Bench of this Court vide order dated 17.01.2025.

2. As per the allegations, on 18.01.2022, on receipt of a secret

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information to the effect that the co-accused Amarjeet Singh was engaged in the business of bringing contrabands from West Bengal on his truck and could be apprehended with opium if raid was conducted at a particular place, a raiding party was formed which reached at the informed place and recovered 4.500 kgs of opium from the conscious possession of accused Amarjeet Singh. On the basis of disclosure statement of the co-accused Amarjeet Singh to the effect that the present petitioner along with other accused namely, Charanjit Singh @ Channi and Harender Singh, had asked him to bring opium for them whenever he visited Assam and the petitioner had given a sum of Rs.1 lakh to him for this purpose and on their asking, he had bought opium which was to be given to the petitioner and the co-accused, the petitioner was nominated as an accused. He was arrested on 19.05.2024. The co-accused were also arrested. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 19.05.2024. The trial will take considerable time as no witness has been examined so far. His further incarceration will serve no useful purpose. He has been deprived of his personal liberty without ensuring speedy trial in violation of Article 21 of the Constitution of India. The co-accused Charanjeet Singh @ Channi and Harinder Singh whose case is on similar footing, have since been extended benefit of bail. On parity, he too deserves to be given the same benefit. It is,

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therefore, urged that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned Deputy Advocate General, Haryana that there are serious and specific allegations against the petitioner. He is a habitual offender since five more cases under the provisions of NDPS Act have been registered against him. There are chances of his committing similar offences if extended benefit of bail. It is, therefore, urged that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have given a sum of Rs.1 lakh to the co-accused Amarjeet Singh for the purpose of purchasing opium for him. The recovery of opium was not effected from the petitioner but from the abovesaid co-accused. The petitioner has been nominated on the basis of disclosure statement of the co-accused. The petitioner is stated to have been acquitted in two out of five cases which have been registered against him. The co-accused Charanjeet Singh @ Channi and Harinder Singh who stand on similar footing have since been extended benefit of bail. The petitioner has already suffered custody of a period of more than one year and three and half months. Given the nature of the allegations as levelled against the petitioner coupled with the period of his custody and the other factors peculiar to this case, this Court is of the opinion that there would be no justifiability for further pre trial incarceration of the petitioner at this stage. For the reasons as mentioned above but without commenting on the merits of the case, the petitioner has made out a case for release on bail.

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Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

11.09.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No