

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

2025:PHHC:151245



207

CRM-M-39773-2025 (O&M)

Date of Decision: 03.11.2025.

Suhdeer Kumar @ Sudhir Kumar

...Petitioner.

Versus

State of Haryana and another

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Kamlesh Kumar, Advocate for the petitioner.

Mr. Pawan Kumar Garg, DAG, Haryana.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No.331 dated 25.05.2025 under Section 20 of the NDPS Act (Section 20 of the NDPS Act added later on), registered at Police Station Chandani Bagh, District Panipat.

As per prosecution case, co-accused Hema was found in possession of 40 Kg of ganja. The petitioner was nominated as an accused in the present case on the basis of disclosure statement of the said co-accused, who stated that the petitioner was supplier of the alleged contraband and she had purchased the said Ganja from him.

Learned counsel for the petitioner contended that no recovery had been effected from the petitioner and he is not connected with the offence in the present case. The petitioner has been falsely implicated in the present case only on the basis of disclosure statement of aforesaid co-

accused, which is not admissible in law. He prayed that custodial interrogation of the petitioner is not required and he is ready and willing to join the investigation and the present petition be allowed.

Learned State counsel opposed the present petition and submitted that the petitioner was supplier of the alleged contraband. He has been specifically named in the disclosure statement of co-accused and as such he is not entitled to the concession of bail.

Heard.

As per allegations, the name of the petitioner surfaced in the present case, on the basis of disclosure statement of co-accused Hema, who stated that she had purchased 40 Kg of ganja from the petitioner. Except the disclosure statement, there is no other material on record to connect the petitioner with the offence in question. The complicity of the petitioner is to be proved during the trial. The alleged recovery of contraband has already been effected in the present case from co-accused and nothing is to be recovered from the petitioner. The custodial interrogation of the petitioner is not required for any purpose and no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of her arrest, the petitioner is ordered to be released on bail, on her furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/ Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and she shall abide by the conditions mentioned in Section 482(2) of the BNSS.

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 application.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

03.11.2025.

Komal

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