

CRM-M-39727-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.240

Case No. : CRM-M-39727-2025

Decided On : November 03, 2025

Sonu Petitioner
vs.
State of Haryana Respondent

CORAM : HON’BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

Mr. P. K. Garg, DAG, Haryana.

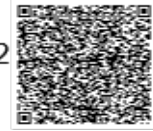
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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 is for grant of regular bail to the petitioner, in case FIR No.177 dated 02.06.2025, under Section 21-B of Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as – NDPS Act), registered at Police Station Tosham, District Bhiwani.

As per prosecution case, co-accused Roshan was found in possession of 13.18 grams of heroin. 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 he had purchased the recovered contraband from the petitioner.

Learned counsel for the petitioner contended that no recovery

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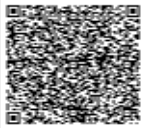
had been effected from the petitioner and he is not connected with the offence in the present case. The petitioner has been falsely implicated in the present case only on the basis of disclosure statement of aforesaid co-accused, which is not admissible in law. He prayed that custodial interrogation 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 there is specific allegation against the petitioner that he had supplied the contraband to the co-accused namely Roshan, from whom the alleged recovery in question had been effected. The petitioner was specifically named in the disclosure statement of co-accused and as such he is not entitled to the concession of bail.

I have heard the learned counsel for the parties and have also gone through the case file.

As per the allegations in the disclosure statement, co-accused alleged to have purchased the recovered contraband from the petitioner. Recovery of 13.18 grams of heroin, effected from co-accused Roshan falls under the intermediate/non-commercial quantity. No other material, except the disclosure statement of co-accused Roshan, has been placed on record to connect the petitioner with the alleged offence in question.

As per the Custody Certificate dated 30.09.2025, which has been placed on record, the petitioner has already undergone custody of 03 months and 17 days. Trial of the case is going on. There are 17 prosecution witnesses and all are yet to be examined. Complicity of the petitioner is a



matter of trial, conclusion whereof is likely to take considerable time. So, no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

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 petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

November 03, 2025
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(SUKHVINDER KAUR)
JUDGE

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