



CRM-M-42770-2025

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

226

CRM-M-42770-2025

Date of Decision: 12.08.2025

Bansi Lal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Vasundhara Dalal Anand, Senior DAG, Haryana.

YASHVIR SINGH RATHOR, J. (Oral)

1. Petitioner has filed this petition under Section 483 of B.N.S.S. for grant of regular bail in case FIR No.174, dated 14.05.2025, registered under Sections 18(c) of NDPS Act (Section 27-A of NDPS added later on) at Police Station Sadar Fatehabad, District Fatehabad.

2. As per the prosecution case, 1 kg opium was recovered from one Sukha Ram @ Kaka after he was apprehended on the basis of secret information on 14.05.2025. During investigation, Sukha Ram @ Kaka was interrogated and he disclosed that he had purchased the recovered contraband from one Sahil @ Karan and Parveen Lamba. The offence under Section 29 of NDPS Act was added. Thereafter, co-accused Sahil @ Karan was arrested, who on interrogation disclosed that he had purchased the recovered contraband from co-accused Bansi Lal (petitioner) and thereafter, petitioner was arrested on 19.05.2025. After



completion of investigation, challan has been presented on 17.07.2025.

3. Learned counsel for the petitioner has argued that petitioner has been falsely implicated on the basis of disclosure statement of co-accused Sahil @ Karan, who was also nominated by main accused, namely Sukha Ram @ Kaka, from whom contraband was recovered. No recovery of any contraband has been affected from petitioner and as such, the disclosure statement of co-accused is not admissible in evidence. Learned counsel further contended that main accused, namely, Sukha Ram @ Kaka has been released on regular bail by the learned trial Court and one of the co-accused namely, Pawan Kumar, who was nominated as an accused by Sukha Ram @ Kaka has been released on ad interim anticipatory bail by this Court vide order dated 03.07.2025, CRM-M-32519-2025. Challan has already been presented. The trial is likely to take sufficiently long time to conclude and as such further detention of the petitioner is not required and he may be released on bail.

4. On the other hand, learned State counsel argued that petitioner has committed a heinous crime and there are bank transactions between his father-in-law and co-accused Sahil, to whom the contraband was sold and mobile phone of petitioner is linked in the said bank account. Learned State counsel further argued that petitioner is involved in three more cases under the NDPS Act and the drug abuse is on the rise day by day and the same has adverse effect not only on the human beings but also on the society at large including younger generation and petitioner thus, does not deserve concession of bail.

5. Main accused namely, Sukha Ram @ Kaka has already been released on bail. One of the co-accused namely, Pawan Kumar, who was



named as an accused by Sukha Ram has been released on anticipatory bail by this Court. Petitioner is in custody since 19.05.2025. Investigation has already been completed and challan has been presented. How much evidentiary value will be attached to the disclosure statement of the co-accused and the alleged bank transactions between his father-in-law and co-accused Sahil, will be seen during the trial. Petitioner is already on bail in all other four cases. The trial is likely to take sufficiently long time to conclude. In these circumstances, further detention of the petitioner is not required.

6. Considering the fact that the trial is likely to take some more time to conclude, no useful purpose will be served by keeping the petitioner behind bars. Without commenting anything on the merits of the case, the petition is allowed and the petitioner, is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

7. It is clarified that the observations made hereinabove shall not be construed to be an expression on the merits of the case

(YASHVIR SINGH RATHOR)
JUDGE

12.08.2025
pooja saini

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No