

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

2025:PHHC:147217



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**CRM-M-44330-2025 (O&M)
Date of Decision: 28.10.2025.**

Sonu

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Viender Soni, 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.73 dated 01.06.2025 under Sections 20 and 27-A of NDPS Act, registered at Police Station Alewa.

As per prosecution case, co-accused Monu was found in possession of 478 grams Charas (sulfa). 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 also indulging in smuggling of narcotics.

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. Co-accused, namely, Monu has already been granted concession of bail vide order dated 04.08.2025 by the trial Court. 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 also indulging in smuggling. 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 the allegations, the name of the petitioner surfaced in the present case, only, on the basis of disclosure statement of co-accused Monu. Except the disclosure statement, there is no 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, which is 'intermediate quantity' and nothing is to be recovered from the petitioner. Co-accused, namely, Monu has already been granted concession of bail vide order dated 04.08.2025 by the trial Court. 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 his arrest, the petitioner is ordered to be released on bail, on his 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

28.10.2025.

Komal

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