



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

223

CRM-M-50619-2024

Date of decision: March 11<sup>th</sup>, 2025

Sandeep Shukla @ Sunny

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Yashpal Thakur, Advocate  
for the petitioner.

Mr. Rajat Gautam, Additional Advocate General, Haryana.

**MANJARI NEHRU KAUL, J. (ORAL)**

This is a second petition filed by the petitioner seeking the concession of regular bail in FIR No.302 dated 28.11.2023 registered under Sections 15(c), 29 of the NDPS Act, 1985, at Police Station Ismailabad, Kurukshetra.

2. Learned counsel for the petitioner submits that even as per the case of the prosecution, a secret information was allegedly received qua the involvement of the two of the petitioner's co-accused namely Jagjeet Singh @ Jeetu and Jagpreet Singh @ Jagga from whom a recovery of 125 kilograms of poppy husk was then effected. Learned counsel has submitted that no such secret information was received qua the petitioner and instead, the petitioner came to be nominated as an accused during the interrogation of the two co-accused. The two co-accused Jagjeet Singh @ Jeetu and Jagpreet Singh @ Jagga purportedly suffered a disclosure statement nominating the petitioner as being the person to whom the recovered contraband was to be delivered. Learned counsel for the

petitioner has asserted that the disclosure statement, on the basis of which the petitioner has been arraigned as an accused in the present case, holds little evidentiary value and it needs to be appreciated in the light of no recovery of any contraband much less poppy husk being effected from him, when he was arrested on 27.12.2023. It has been contended that after the challan was presented on 10.04.2024, only four prosecution witnesses out of the 22 cited had been examined. Hence, the possibility of the trial concluding in the foreseeable future did not arise. A prayer has, therefore, been made for extending the concession of bail to the petitioner.

3. *Per contra*, learned State counsel while vehemently opposing the prayer and submissions made by counsel opposite has not disputed the custody period of the petitioner nor has it been controverted that the petitioner's name surfaced only in the disclosure statement of co-accused, coupled with the fact that no recovery of any contraband was effected from him. However, it has been asserted by the learned State counsel that the petitioner was in touch with the co-accused Umesh, a resident of Rajasthan, through whom he had been procuring poppy husk. It has been further asserted that there were some bank transactions between the petitioner and one Mangi Lal in the sum of ₹1,01,000/-, which was the payment made by the petitioner with respect to the poppy husk which was to be delivered to him by the co-accused.

4. On a pointed query put to the learned State counsel as to whether said Mangi Lal had been made an accused in the present case, he, on instructions from ASI Rajesh Kumar, has replied in the negative.

5. Learned counsel for the petitioner, on the other hand, has emphatically stated that Mangi Lal is not an accused in the present case and hence, even assuming for the sake of arguments that there had been some money transactions between the petitioner and Mangi Lal, it could not connect the petitioner with the recovered contraband.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The petitioner is in custody since 27.12.2023 and in the facts and circumstances as enumerated hereinabove, the trial is unlikely to conclude in the near future. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**March 11<sup>th</sup>, 2025**  
*Puneet*

**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No