



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-49557-2025

Reserved on: 11th November, 2025Pronounced on: 19th November, 2025

Saqib Mustaq @ Shakib Mustak

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Saini, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 18 dated 21.01.2025 registered under Sections 20-B and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short '*NDPS Act*') at Police Station GRP Ambala, District Ambala, Haryana.

2. As per the allegations, on 21.01.2025, upon receipt of a secret information, the officials of Police Station GRP, Ambala Cantt. headed by SI Rajkumar, entered coach No. A-1 of train No. 12926 Paschim Express destined for Mumbai. A trolley bag was found kept underneath the seat of accused Shabbir Ahmed Sheikh. On checking the bag, seven bundles containing *charas*, weighing a total of 860 grams, were recovered. After



completion of statutory formalities, accused Shabbir Ahmed was arrested. He was interrogated and suffered a disclosure statement, on the basis of which accused Arif was nominated as an additional accused. On 23.01.2025, accused Shabbir Ahmed suffered another disclosure statement and disclosed the names of the petitioner and his brother Arif as the persons from whom he had brought the narcotic substance for supplying it to one Abdul. On the basis of his disclosure, the petitioner and the above-named persons were nominated as accused. The petitioner was arrested on 23.01.2025. The offence under Section 29 of the NDPS Act was added to the case. He too suffered a disclosure statement admitting his involvement in the crime and got recovered his mobile phone, which contained *WhatsApp* chats between him and co-accused Shabbir regarding the transaction of contraband. The investigation now stands completed and the petitioner along with the co-accused is facing trial for the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement of the co-accused, which cannot be considered to be admissible in evidence. He was not named in the FIR. No recovery has been effected from him. The rigors of Section 37 of the NDPS Act are not attracted in his case. The trial is likely to take considerable time to conclude. His continued detention would not serve any useful purpose. He has clean antecedents. With these broad submissions, it is contended that the petitioner deserves to be released on bail.

4. *Per contra*, learned State counsel has argued that, keeping in view the gravity of the allegations levelled against the petitioner, he does not



deserve the concession of bail.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner is alleged to have supplied commercial quantity of contraband to accused Shabbir Ahmed Sheikh for the purpose of selling the same to one Abdul in Maharashtra. He also got recovered his mobile phone containing *WhatsApp* chats between him and the co-accused. A copy of the said chats has been annexed with the status report and prima facie reflects the active involvement of the petitioner in the offence. The allegations against him are serious in nature. Co-accused Arif, who is the brother of the petitioner, is yet to be arrested. Taking into consideration the gravity of the allegations levelled against the petitioner, the quantum of sentence that may ensue upon conviction, and the attendant facts and circumstances, but without commenting on the merits of the case lest it prejudice the trial, this Court is of the considered opinion that the petitioner does not deserve to be enlarged on bail at this stage. Accordingly, the petition is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

19th November, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |