



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

235

CRM-M-50522-2025

Date of decision: 27th November, 2025

Vinod

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Dr. Pankaj Nanhera, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The petitioner has been seeking indulgence of this Court by filing this petition for grant of regular bail in case arising out of FIR No. 840 dated 29.09.2011 registered under Sections 17 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short '*NDPS Act*') at Police Station City Hisar, District Hisar, on the allegations that on 20.09.2011, recovery of 1.980 kgs. of opium was effected from the accused Maan Singh. He suffered disclosure statement to the effect that he along with the present petitioner had purchased the opium. The petitioner was nominated as an accused. The petitioner moved an application for grant of anticipatory bail before the learned Additional Sessions Judge, Hisar, which was dismissed vide order dated 18.10.2011 and then by this Court on 12.12.2011.

2. The petitioner could not be apprehended. Proceedings under Section 82 of Cr.P.C. were initiated against him and he was declared



proclaimed person as on 30.05.2012. The co-accused faced trial and had been acquitted. The present petitioner surrendered on 03.07.2025. Challan against him stands filed.

3. It is argued by learned counsel for the petitioner that he himself had surrendered on 03.07.2025. Trial is likely to take time. His further incarceration would not serve any useful purpose. He would abide by terms and conditions to be imposed upon him. Even otherwise, no recovery was effected from him. He was nominated on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. It is, therefore, urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that there are serious allegations against the petitioner. He remained an absconder for over 13 years. There are chances of his absconding again, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

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

6. The petitioner is alleged to have purchased commercial quantity of opium along with the co-accused, who has faced trial and has since been acquitted. The petitioner who had been declared proclaimed person is now in custody since 03.07.2025. Challan has been presented against him but trial will take considerable time to conclude. It is only on the basis of thorough assessment of the evidence to be produced during trial that any conclusion can be drawn as to complicity of the petitioner in the subject crime. Taking into consideration, the above discussed facts but without meaning to make any comment on the merits of the case, this Court is of the considered



opinion that the petitioner deserves to be released on bail. Hence, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds of two sureties to the satisfaction of the learned trial Court and further subject to giving details of his present/permanent address, cell phone number and Aadhar Card, at the time of furnishing bonds before the learned trial Court. That apart, the petitioner shall also ensure his presence before the SHO, concerned on the first Monday of every month till the conclusion of the trial.

7. On his failure to abide by any of these conditions, the learned trial Court will be at liberty to cancel his bail.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th November, 2025

Parveen Sharma

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