

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025.PHHC.156420



101+212

CRM-42340-2025 in/and
CRM-M-53072-2025 (O&M)
Date of Decision: 12.11.2025.

Pardeep

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Manpreet Ghuman, Advocate for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

SUKHVINDER KAUR, J. (Oral)

CRM-42340-2025

Learned counsel for the applicant/ petitioner seeks permission
to withdraw the instant application.

Dismissed as withdrawn.

Main case

Present petition has been filed under Section 482 of BNSS for
grant of anticipatory bail to the petitioner in FIR No.31 dated 20.01.2024
under Sections 17-B/29/61/85 of NDPS Act, registered at Police Station
Sadar Bhiwani, District Bhiwani.

As per prosecution case, co-accused, namely, Manoj @ Badal
was found in possession of 103 grams opium and the petitioner was
nominated as an accused in the present case on the basis of 2nd disclosure
statement of the said co-accused in which he stated that mobile
No.8570004704, was of petitioner Pardeep, upon which they used to talk for
purchasing opium and making payment for the contraband purchased.

Learned counsel for the petitioner contended that initially the name of the petitioner was not mentioned in the FIR and his name surfaced in the present case on the basis of disclosure statement of co-accused on 21.01.2024. 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. 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 petition and submitted that the petitioner was actively involved in the alleged offence. He had 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 was not mentioned in the FIR and his name surfaced in the present case on the basis of 2nd disclosure statement of co-accused Manoj @ Badal, wherein he disclosed the mobile number of petitioner, upon which they used to talk. Though, it has been alleged that there had been a conversation between the petitioner and said co-accused on the said mobile number regarding sale and purchase of opium, but no transcript of the said conversation had been produced on record. Even nothing has been produced on record to show that the said mobile number was belonging to the petitioner. Except the disclosure statement, there is no material on record to connect the petitioner with the offence in present case. Recovery had already been effected in the present case from co-accused, which falls in 'non-commercial quantity' and nothing is to be recovered from the petitioner. Co-accused Manoj @ Badal,

who is the main accused had already been released on bail vide order dated 21.02.2021 of 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 he 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**

12.11.2025.

Komal

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