



CRM-M-57629-2025 (O&M)

1

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM-M-57629-2025 (O&M)****Reserved on : 17.10.2025****Pronounced on : 30.10.2025**

Dharampal

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Argued by: Mr. Som Nath Saini, Advocate for the petitioner.

Mr. Vijay Kumar, Asst. A.G. Haryana.

SURYA PARTAP SINGH, J.

1. For the commission of offence punishable under Sections 20 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, hereinafter being referred to as 'NDPS Act' only, the FIR No.265 dated 04.04.2024 has been lodged in Police Station Assandh, District Karnal. The petitioner is being prosecuted for the commission of abovementioned offence and he has been arrested. The petitioner is in custody and, therefore, craving for bail. This is third petition, filed by the petitioner, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The first bail petition, moved by the petitioner, was dismissed as withdrawn vide order dated 04.12.2024, whereas second bail petition, moved by the petitioner, was dismissed on merit by this Court vide order dated 28.05.2025.

**CRM-M-57629-2025 (O&M)**

2

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being when SI Mahender Singh, who was heading a police party, was on patrolling duty, and he received a tip-off from an informer that Krishan Kumar S/o Chandu, who was involved in the activity of sale of charas, would leave his home to sell a large quantity of charas. It was also informed that if he is intercepted, he may be found in possession of contraband. According to prosecution, thereafter the police party went to the village of Krishan Kumar, where it spotted him, intercepted him and found him in possession of 1.100 kilograms of charas.

3. It is the case of the prosecution that necessary formalities with regard to search, seizure, registration of FIR and arrest were made and the investigation taken up.

4. According to the prosecution, during the course of investigation, the accused Krishan Kumar suffered a disclosure statement, wherein he nominated the petitioner.

5. Heard.

6. It has been contended on behalf of petitioner that the petitioner is innocent, who has been simply nominated on the basis of disclosure statement, suffered by the co-accused, and that the abovementioned disclosure statement was recorded, when the abovesaid co-accused was already in police custody. As per learned counsel for the petitioner, in view of abovesaid disclosure statement, the same is not admissible in evidence.



CRM-M-57629-2025 (O&M)

3

7. In addition to above, it has also been argued by learned counsel for the petitioner that the petitioner has already suffered a lot of incarceration for being in custody for a period of 01 year and 06 months, and that nothing is left to be recovered from the possession of petitioner, and that the trial is not likely to be concluded in near future. As per learned counsel for the petitioner in the given fact situation the petitioner is entitled for the benefit of bail.

8. *Per contra*, the learned State Counsel has controverted the abovementioned arguments of learned counsel for the petitioner. The learned State Counsel has argued that this is third petition moved by the petitioner, and that the second petition of the petitioner was dismissed on merits on 28.05.2025. According to learned State Counsel from the date of dismissal of second bail petition, no significant change in relevant circumstances has taken place.

9. In addition to above, the learned State Counsel has also argued that the past conduct of the petitioner is not clean, as he was declared proclaimed offender in this very case itself, and that three other cases of the same nature are pending against him.

10. The record has been perused carefully.

11. A perusal of record shows that this is third petition moved by the petitioner, and that his second petition was dismissed on merit on 28.05.2025. Either in the petition or during the course of arguments, the learned counsel for the petitioner has failed to point out any significant



CRM-M-57629-2025 (O&M)

change in circumstances, which could make the petitioner eligible to move third petition.

12. It is also relevant to mention here that from the date of dismissal of former bail petition, no significant period has passed, and therefore, even on the ground of long incarceration, the petitioner is not entitled for the benefit of bail.

13. Thus, it is hereby held that in the given fact situation, the petitioner is not entitled for the benefit of bail. Hence, the present third petition is not maintainable and deserves dismissal.

14. In view of above, the present petition is hereby dismissed accordingly.

(SURYA PARTAP SINGH)
JUDGE

OCTOBER 30, 2025
Gaurav Thakur

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No