



CRM-M-62560-2025 (O&M) -1-

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

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**CRM-M-62560-2025 (O&M)
Decided on: 12.12.2025**

VINOD ALIAS KALU

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Kuldeep Singh Siwach, Advocate for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in case bearing FIR No.109 dated 17.08.2025 under Sections 21(b), (Act No.61) of NDPS Act, 1985 and Section 27-A of NDPS Act, 1985 added later on, registered at Police Station Jakhal, District Fatehabad.

2. Brief facts of the case are that on 17.08.2025, a police party on the basis of suspicion apprehended co-accused Preetpal Singh @ Kalu and Jagtar Singh @ Tari, while riding on motorcycle upon which recovery of 11 grams 410 milligrams of *Heroin*, was effected from co-accused Preetpal Singh @ Kalu and Jagtar Singh @ Tari. During investigation, co-accused Preetpal Singh @ Kalu and Jagtar Singh @ Tari were arrested, who, suffered disclosure-statements for having purchased the recovered contraband from the present petitioner namely, Vinod @



Kalu. During further investigation, the present petitioner suffered disclosure-statement regarding his involvement in the crime and having purchased total 12 grams *Heroin* from an unknown person.

3. Learned counsel for the petitioner contended that no recovery has been effected from the present petitioner and he has been named on the basis of a disclosure statement of co-accused Preetpal Singh @ Kalu and Jagtar Singh @ Tari from whom 11 grams 410 milligrams of *Heroin* has been recovered and the said co-accused have already been granted bail by the trial Court (Annexures P2 & P-3). The petitioner is stated to have been in custody for more than a period of 03 months.

4. Notice of motion.

5. Mr. Ramender Singh Chauhan, AAG, Haryana, who is present in Court, accepted notice on behalf of respondent-State, and by way of filing of custody certificate dated 10.12.2025, opposed the concession of regular bail to the petitioner and submitted that the petitioner is involved in one case under the NDPS Act, 1985 and another case under IPC, 1860 whereby he is convicted, however he is on bail in both the cases. He, however, does not dispute the fact that the petitioner is in custody for a period of more than 03 months and 15 days.

6. Heard.

7. Keeping in view the facts and circumstances of the case and the fact that nothing has been recovered from the petitioner; the co-accused from whose possession the alleged contraband has been



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recovered, have already been granted bail by the trial Court; present petitioner is in custody for the last more than 03 months; also there is no material which shows that after release of the petitioner, the petitioner will tamper with the evidence as witnesses are police officials; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

12.12.2025*Sonia Puri*

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO