



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(216)

CRM-M-65810-2025

DATE OF DECISION: 28.11.2025

Javed

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Davneet Sangwan, Advocate,
with Mr. Naresh Soni, Advocate, for the petitioner.

Mr.Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.106 dated 02.03.2022, registered under Sections 21-C and 29 of NDPS Act, at Police Station Sadar Yamunanagar, District Yamunanagar (Section 29 of NDPS Act added during investigation).

2. Learned counsel for the petitioner contended that the petitioner is falsely involved in this case. He further contended that in the present case the contraband is recovered from co-accused Amir Khan and during his interrogation, he nominated accused Fariyad Khan and on arrest of Fariyad Khan, he nominated Hasib Khan and Hasib Khan nominated the present petitioner along with two other co-accused.

3. Learned counsel further contented that Hasib Khan was granted bail by the Hon'ble Supreme Court vide order dated 23.08.2023 passed in SLP No.3888 of 2023 and other co-accused i.e Fariyad Khan is also granted bail by this Court vide order dated 30.05.2022, passed in CRM-M-17967-



petitioner and he was only nominated on the basis of disclosure statement of the co-accused from whose possession nothing has been recovered. Petitioner is in custody for the last two months and nineteen days and investigation has already been completed qua the petitioner and the trial will take long time.

3. Notice of motion.

4. Mr. Aditya Pal Singla, AAG, Haryana, accepted the notice on behalf of the respondent-State and produced the custody certificate of the petitioner, which is taken on record. Learned State counsel vehemently opposed the prayer for grant of regular bail to the petitioner by submitting that the present petitioner is involved in several other cases of similar nature and on instructions from SI Satish Kumar fairly admitted that except disclosure statement of the co-accused, no material is with the police to connect him with the present matter.

5. Heard.

6. Keeping in view the fact that the present petitioner was nominated on the basis of disclosure statement; there is no evidence against the present petitioner except disclosure statement; nothing was recovered from his possession; accused Hasib Khan, who nominated him in this matter has been granted bail by the Hon'ble Supreme Court and the other co-accused Fariyad Khan is also granted bail by this Court; 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 measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciating the

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 hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

28.11.2025 (SUBHAS MEHLA)
mamta JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No