

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:169873



CRM-M-67131-2025 (O&M)
Date of Decision: 05.12.2025

MAHIP KUMAR ... PETITIONER
VERSUS
STATE OF HARYANA ... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Parminder Singh Sekhon, Sr. Advocate with
Mr. R.S.Gill, Advocate for the petitioner.
Mr. Vijay Kumar, AAG Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No. 266 dated 20.06.2025, under Sections 22(C), 29 of NDPS Act, registered at Police Station Chandimandir, District Panchkula.

2. The case of the prosecution is that 6000 intoxicating tablets of Lomotil were recovered from the possession of co-accused Hardeep Singh, who named Rupinder Singh in the disclosure statement, who is stated to be running a Chemist shop. Thereafter, Rupinder Singh disclosed the name of Raman Dhiman, who further named Sunil Kumar. Following which Sunil Kumar named the present petitioner in the commission of offence.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The name of the petitioner has emerged in the disclosure statement made by co-accused Sunil Kumar. It has also been submitted that no recovery has been effected from the present petitioner, therefore, at this stage, involvement of petitioner cannot be ascertained as there is no evidence on record against him. The petitioner is not involved in any other case.

4. Notice of motion.

5. Mr. Vijay Kumar, AAG Haryana accepts notice on behalf of the State and vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 05 months and 08 days.
6. I have heard the learned counsel for the parties and perused the record.
7. Considering the submissions of the learned State Counsel and the fact that the petitioner has been named on the basis of the disclosure statement made by the co-accused who himself has been nominated on the basis of the disclosure statement made by another co-accused; no recovery has been effected from the present petitioner; petitioner is not involved in any other case; the petitioner is in custody for the last 05 months and 08 days, therefore, continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.
8. 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 bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.
9. It is clarified that if on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

(H.S.GREWAL)
JUDGE

05.12.2025

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