



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M-3843-2026
Decided on : 12.05.2026

PALA RAM

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Baljeet Nain, Advocate,
for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Pala Ram, aged about 50 years	307	15.09.2025	21(b), 27(A) of NDPS Act	City Tohana	Fatehabad

2. Learned counsel for the petitioner submits that, as per the case of prosecution, on 15.09.2025, a police party headed by ASI Surender Singh, acting on suspicion, apprehended the main accused Bunt Singh @ Binti, from whose possession, 13 grams 65 milligrams of



heroin was allegedly recovered, leading to the registration of present case. It is further submitted that the said co-accused was subsequently arrested and suffered disclosure statement on 16.09.2025, wherein he disclosed the name of present petitioner, alleging therein that the recovered heroin was, in fact, supplied to him by the present petitioner.

It is pointed out that the main accused Bunty Singh @ Binti has already been granted the concession of bail by learned Special Judge, Fatehabad, vide order dated 17.10.2025 (Annexure P-2). However, petitioner's bail application has been dismissed by the court below, vide order dated 03.11.2025 (Annexure P-3), constraining him to approach this Court by way of the present petition.

3. Learned counsel for the petitioner further contends that petitioner has been falsely implicated solely on the basis of a disclosure statement made by co-accused, which is not admissible in the eyes of law. It is also submitted that petitioner is in custody since 16.09.2025, and no further recovery is to be effected from him. Thus, continued incarceration of the petitioner would serve no useful purpose. Therefore, prayer is made for grant of regular bail to the petitioner in the present case.

4. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 10.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.



As per the custody certificate, in the present case, petitioner has already undergone 07 months and 25 days period inside jail.

5. Learned State counsel, while opposing the prayer made on behalf of the petitioner, submits that soon after arrest of the co-accused, his disclosure statement was recorded on the very next day, in which he allegedly implicated the petitioner as well. It is submitted that, on the basis of the said disclosure, Section 27A of the NDPS Act was invoked against the petitioner.

It is further contended that, apart from the present case, petitioner is involved in four other criminal cases, wherein he has been implicated under Section 15-B of the NDPS Act in FIRs registered at Police Station City Tohana, District Fatehabad.

6. At this stage, learned counsel for the petitioner submits that trials in the said cases are still pending and petitioner has already been released on bail therein.

7. Learned State counsel further places reliance upon CDR (call detail record) data to contend that petitioner was in regular contact with the main accused Bunt Singh @ Binti, thereby indicating his involvement in the alleged offence. Thus, it is submitted that petitioner does not deserve the concession of regular bail in the present case.

8. However, on being asked by the Court, learned State counsel informs that out of total 11 prosecution witnesses, only one has been examined so far.

9. This Court has heard the submissions advanced by learned counsel for the parties and has also perused the record made available.



10. Except of the disclosure statement made by the main accused Bunt Singh @ Binti, any other evidence, if available with the prosecution and found to be relevant and of evidentiary value, shall be considered by learned trial Court in accordance with law, after adducing complete set of evidence before it.

However, at this stage, it is pertinent to note that petitioner is in custody since 16.09.2025, i.e. for a period of about seven months and twenty-five days. It is further noticed that out of total 11 prosecution witnesses, only one has been examined so far, and thus, conclusion of trial is likely to take considerable time.

11. In view of the totality of circumstances, nature of allegations levelled against the petitioner, and the factors noticed here above, this Court is of the considered opinion that petitioner deserves the concession of regular bail, at this stage.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

12. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

13. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

14. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

15. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

12.05.2026
Lavisha

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