



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

CRM-M-4024-2026

Date of decision: 22.04.2026

DEV KUMAR

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Abhimanyu Jangra, Advocate
for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner is seeking regular bail in case bearing FIR No.319 dated 29.11.2025 registered under Sections 20 & 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Ballabgarh Sadar, District Faridabad.

2. Briefly stated, on 28.11.2025, the police officials apprehended co-accused, namely, Captain @ KD for keeping 1.468 kgs. of Ganja in his illegal possession. The present petitioner was nominated in the present case as supplier, on the disclosure statement made by co-accused.

3. Learned counsel for the petitioner contended that the petitioner has been falsely involved in the present case as he has been nominated on the basis of disclosure statement made by co-accused, namely, Captain @ KD, which is inadmissible in evidence; except the disclosure statement made by co-accused, there is nothing on record to prove the complicity of the petitioner



in the commission of offence; petitioner is in custody since 16.12.2025 i.e. for the last more than 04 months; investigation qua the petitioner has already been completed and the trial will take sufficient time to conclude. As such, learned counsel prayed for grant of regular bail to the petitioner.

4. Learned State counsel placed on record the custody certificate of the petitioner, which is taken on record. He, on instructions from SI Jamil Khan, opposed the prayer made by the petitioner by submitting that the allegation against the petitioner is that he is the supplier of the contraband; in the present case, 1.468 kgs. of Ganja has been recovered from co-accused and the petitioner is a habitual offender as he is involved in two more cases of similar nature. On a specific query put by this Court as to whether besides the disclosure statement alleging that the petitioner is supplier of contraband, is there any other evidence available on record to support the case of the prosecution or not, learned State counsel answered in negative.

5. Heard.

6. Keeping in view the facts and circumstances of the present case and the contentions raised by learned counsel for the parties that petitioner has been nominated on the basis of disclosure statement made by co-accused, namely, Captain @ KD except the disclosure statement made by co-accused, there is nothing on record to prove the complicity of the petitioner in the commission of offence; petitioner is in custody since 16.12.2025 i.e. for the last more than 04 months; the contraband recovered in the present case is marginally higher than the small quantity and trial will take sufficient time to conclude; no fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a



measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both 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 petitioners.

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.

April 22, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |