



CRM-M-5982-2026

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

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CRM-M-5982-2026

Date of Decision: 27.04.2026

ISTAK

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

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

Present:- Mr. Soeb Khan, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under section 483 B.N.S.S. (earlier 439 Cr.P.C.) for grant of regular bail in case FIR No. 166 dated-14.06.2025, registered under Sections- 21 (C),29-61-85 of NDPS Police Station- Hodal, Palwal.

2. The case of the prosecution is that on 14.06.2025, Sub-Inspector Hakimuddin received secret information that Ranjit Kumar and Ramji were engaged in the illegal trade of heroin (chitta) and, on that day, were travelling in a car bearing registration No. DL-1ZC-2386 carrying *Heroin*, proceeding towards Hodal via Babri–Punhana turn. Acting upon the said information, the police laid a barricade and apprehended both the accused. Upon search, 290 grams of heroin was recovered from the pocket of the pant of accused Ranjit Kumar. Consequently, an FIR was registered and investigation commenced. During investigation, disclosure statements of the co-accused



were recorded, wherein they alleged that the recovered contraband was to be delivered to the present petitioner.

3. Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and has been nominated solely on the basis of the disclosure statement of co-accused, which is not admissible in evidence against him. He further submits that nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner is in custody since 16.06.2025 and prays for grant of regular bail.

4. Notice of motion.

5. Ms. Malvika Singh, DAG, Haryana, accepts notice on behalf of the respondent-State and has vehemently opposed the prayer for grant of regular bail on the ground that the petitioner acted as a retailer/distributor of heroin in the illegal drug supply chain. It is further submitted that the petitioner had come into contact with a supplier, namely Bab (a Nigerian national), through WhatsApp messages; however, the relevant chat logs have since been deleted. She has filed the status report as well as custody certificate of the petitioner in Court today, which are taken on record. As per the custody certificate, the petitioner has been in custody for the last 10 months and 11 days and is not involved in any other case. Challan has already been presented, and out of 23 cited prosecution witnesses, none has been examined so far.

6. I have heard the submissions made by the parties and gone through the record.

7. After hearing the rival contentions and considering that the petitioner has been in custody for the last 10 months and 11 days; that apart from the disclosure statement, there is no other substantive evidence to connect



the petitioner with the recovery effected from the main accused; the petitioner is not involved in any other case; and that out of 23 cited prosecution witnesses, none has been examined so far, coupled with the fact that the trial is likely to take considerable time, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail 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/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

27.04.2026

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(H.S.GREWAL)

JUDGE

Whether speaking/reasoned :
Whether reportable:

Yes/No
Yes/No