



**218+239 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of decision: 16.04.2026

1. CRM-M-6233-2026

SONU ALIAS ABRAR

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

2. CRM-M-18915-2026

ABDUL KADIR

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Jaspreet Singh Brar, Advocate
for the petitioner.
(in CRM-M-6233-2026)

Mr. Susheel Gautam, Advocate
for the petitioner.
(in CRM-M-18915-2026)

Mr. Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. This order shall dispose of the above-mentioned petitions as both are arising from the same FIR. For the sake of brevity, facts are borrowed from **CRM-M-6233-2026** titled as ***Sonu @ Abrar vs. State of Haryana.***

2. By way of the present petitions, the petitioners are seeking regular bail in case FIR No.0177 dated 03.08.2025 registered under Section



21(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Chhachhrauli, District Yamuna Nagar.

3. Brief facts of the present case are that on 03.08.2025, the police arrested co-accused, namely, Samim and recovery of 254 grams of heroin was effected from her possession. Hence, the FIR was registered. On the basis of disclosure statement made by co-accused Samim, co-accused Feroz Khan was arrested on 04.08.2025 being the main supplier. Further, on the basis of disclosure statement made by co-accused Feroz Khan, another co-accused Ashraf Ali was arrested on 05.08.2025, who demarcated the place of occurrence, from where the contraband was purchased. Thereafter, petitioner-Sonu @ Abrar was joined in the investigation on 03.09.2025, and on the basis of his disclosure statement, co-accused, namely, Rahat @ Aslam and petitioner-Abdul Kadir were also joined in the investigation after securing their presence on production warrants.

4. Learned counsel for the petitioners contended that petitioners have been falsely involved in the present case; neither the petitioners were named in the FIR nor any incriminating substance was recovered from their possession; the petitioners have been nominated as accused in the present case only on the basis of disclosure statements made by other co-accused, which is inadmissible in evidence; except the disclosure statements made by co-accused, there is no other evidence available on record to prove the complicity of the petitioners; the case of the petitioners is on better footing with co-accused, namely, Feroz Khan, who has already been granted the concession of regular bail by a Co-ordinate Bench of this Court vide order dated 05.03.2026 passed in ***CRM-M No.71770 of 2025*** titled as ***Feroz Khan vs. State of***



Haryana; the petitioners are in custody for the last more than seven months; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping the petitioners behind the bars. As such, learned counsel prayed for grant of regular bail to the petitioners.

5. Learned State counsel placed on record the custody certificate of petitioner Sonu @ Abrar, which is taken on record. He opposed the prayer made by the petitioners and on instructions from SI Gurmej Singh, submitted that the petitioners are involved in one more case of similar nature; commercial quantity of heroin i.e. 254 grams has been recovered in the present case from co-accused Samim; there is chain of evidence available on record, in the form of disclosure statements, to connect the petitioners with drug trafficking. As such, learned State counsel prayed for dismissal of the present petitions.

6. Heard.

7. Keeping in view the facts and circumstances of the present cases and the fact that petitioners are already in custody from the last 06 months; no incriminating substance has been recovered from the petitioners; they have been nominated as accused in the present case only on the basis of disclosure statements made by other co-accused, which is inadmissible in evidence; except the disclosure statements made by co-accused, there is no other evidence available on record to prove the complicity of the petitioners; co-accused, namely, Feroz Khan, has already been granted the concession of regular bail by a Co-ordinate Bench of this Court vide order dated 05.03.2026 passed in **CRM-M No.71770 of 2025**; trial will take sufficient time to conclude; no fruitful purpose would be served by keeping them in custody for



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any further period, as concession of bail cannot be denied just as a measure of punishment 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.

8. Therefore, without expressing any opinion on the merits of the case, both the petitions are allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. 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.

10. A photocopy of this order be placed on the file of other connected case.

April 16, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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