



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

(229)

**CRM-M-9361-2026(O&M)
DATE OF DECISION:07.05.2026**

Desh Raj

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Kawalpreet Singh Virk, Advocate, for the petitioner.
Mr. Satbir Singh Goripuria, DAG, Haryana.

SUBHAS MEHLA, J (ORAL)

1. By way of present petition, the petitioner is seeking regular bail in case bearing FIR No.608 dated 24.07.2024, under Sections 20 and 29 of NDPS Act, registered at Police Station Sector 58, Faridabad.

2. Brief facts of the present case are that as per prosecution, on 24.07.2024, ASI Bhupendra Singh, along with his fellow police officials was on patrolling duty and after receiving a secret information, they apprehended one Pappu Singh, who was found in conscious possession of huge quantity 21 Kg 695 gm of Ganja. During investigation, in his second disclosure statement, he nominated one Ramjeet as the supplier of the recovered contraband; further co-accused Ramjeet in his disclosure statement disclosed that he purchased the contraband from Dr.Pappu @ Khem Chand; co-accused Khem Chand disclosed that he purchased contraband from Neeraj & Lokesh; thereafter in his second disclosure statement on 14.12.2024, co-accused Khem Chand disclosed that he purchased the contraband from the present petitioner.



3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case; that petitioner has been nominated as accused in the present case only on the basis of disclosure statement of co-accused Khem Chand @ Dr.Pappu, which is inadmissible in evidence; that nothing was recovered from petitioner's possession; that there is no evidence showing complicity of petitioner in the form of Call Detail Records, nor any drug money was recovered from his possession; co-accused Khem Chand, who nominated the petitioner, has also been granted bail by a Co-ordinate Bench of this Court vide order dated 16.09.2025, passed in CRM-M-42946-2025 and another co-accused namely Ramjeet is also enlarged on bail by a co-ordinate Bench of this Court vide order dated 22.09.2025, passed in CRM-M-51886-2025 (Annexures P9 & P-8 respectively); the present petitioner is in custody since 18.08.2025; trial will take sufficient time to conclude. Hence, prayer for grant of regular bail to the petitioner is made.

4. On the other hand, learned State counsel opposed the present petition by submitting that the petitioner is involved in drug trafficking and also involved in two other cases of similar nature. However, he fairly admitted that in the present case, except the disclosure statement of co-accused, there is no other evidence to connect the petitioner him with the alleged crime, and the case of the petitioner is on similar footing to that of co-accused; who have already been granted by this Court.

5. Heard.

6. Taking into consideration the contentions of the learned counsel for the petitioner as well as learned State counsel and the totality of the



circumstances of the case, this Court is of the considered view that concession of bail cannot be denied just as measure of punishment, as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides, and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, hence, this Court deems it a fit case to grant the concession of regular bail to the petitioner on the following aspects:

- i. That the petitioner has been nominated in the present case on the basis of disclosure statement.
- ii. That nothing remains to be recovered from the possession of the petitioner.
- iii. That similarly placed co-accused namely Khem Chand and Ramjeet have already been granted the concession of regular bail by Co-ordinate Bench of this Court;
- iv. That the petitioner is in custody since 18.08.2025 and
- v. That trial will take sufficient time to conclude

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.

8. All pending misc. applications, if any, be also disposed of.

07.05.2026 (SUBHAS MEHLA)
mamta JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No