



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

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CRM-M-10723-2026 (O&M)
Date of Decision:- 08.04.2026

Jameel @ Jamil Ahmed ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Ankur Mittal, Senior Advocate with
Mr. Skal Sikri, Advocate,
Ms. Kushaldeep K. Manchanda, Advocate and
Ms. Ashna Singh, Advocate and
Mr. Siddhant Arora, Advocate for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.56 dated 25.01.2023, registered under Sections 20B(ii) C-61-85 of NDPS Act, 1985, at Police Station Hodal, District Palwal.
2. Briefly, the case of the prosecution is that on 25.01.2023, on receipt of secret information that a truck bearing registration No. HR74B-0549 carrying contraband ganja intoxicated substance concealed beneath the sacks of Bonola bags and a naka was laid after compliance of Section 42 of the NDPS Act. Upon search, 19 green and red coloured bags containing ganja weighing 561.750 kg were recovered from the vehicle, and the present FIR was got registered.



3. Learned counsel for the petitioner contended that the petitioner has falsely been implicated in the present case on the basis of disclosure statement of co-accused. Apart from the said disclosure statement, there is no independent evidence connecting the petitioner to the commission of the alleged offence. Nothing has been recovered from him. The petitioner is in custody for the last about 09 months and 04 days. Charges are yet to be framed and there are total 41 prosecution witnesses. The trial is likely to take considerable time to conclude, thus, learned counsel prayed for grant of regular bail to the the petitioner.

4. Status report by way of an affidavit of Suresh Kumar, HPS, Deputy Superintendent of Police, Hodal, District Palwal, along with custody certificate of the petitioner has been filed by learned State counsel, and the same are taken on record. Learned State counsel submitted that the petitioner along with co-accused procured the contraband from Orissa and were planning to sell the said narcotic substance across Mewat with other co-accused person. It is further submitted that the petitioner is involved in two other FIRs under the NDPS Act and therefore does not deserve the concession of bail.

5. Heard.

6. The present petitioner has been nominated in the present case on the basis of disclosure statement, which is inadmissible in view of the law laid down by the Hon'ble Supreme Court in '**Tofan Singh Vs. State of Tamil Nadu**', **2020 INSC 620**; also no recovery has been effected from his possession; the petitioner has been in custody for the last about 09 months and 04 days; investigation qua him stands completed; challan has already

been presented; except disclosure statement of co-accused while in police custody, there is no evidence on record to support the prosecution case qua the present petitioner even the registered owner of vehicle in question has not pointed out any accusing finger towards present petitioner. Hon’ble the Supreme Court in ‘*Jugraj Singh vs. State of Punjab*’, *Criminal Appeal No.3640 of 2025 @ SLP (Crl.) No.9190 of 2025, decided on 20.08.2025* granted anticipatory bail to the accused in a case where the accused was implicated only on the basis of disclosure statement made by co-accused. The trial is likely to take considerable time to conclude; and no fruitful purpose would be served by keeping him in custody for 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 petitioner.

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.

08.04.2026

Geeta

(SUBHAS MEHLA)

JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No