



CRM-M-11298-2026

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

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CRM-M-11298-2026

Decided on :20.04.2026

Krishan Dabas

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. P.S. Hundal, Sr. Advocate with
Mr. Rahul Singla, Advocate for the petitioner.

Mr. P. K. Jhanda, Sr. DAG, Haryana.

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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS (corresponding Section 439 Cr.P.C.) seeking regular bail in case FIR No.603 dated 18.09.2025, under Sections 22(c), 29 of NDPS Act, registered at Police Station Kharkhoda, District Sonipat.

2. As per the allegations in the FIR, it is stated that accused Rahul was apprehended, from whom 23 glass bottles containing Codeine and Triprolidine were recovered. The total quantity of the substance contained in the bottles amounts to 2300 milligrams.

3. Learned Senior Counsel for the petitioner submits that after the arrest of the main accused, Rahul, the name of the petitioner was implicated in the case on the basis of a disclosure statement, with allegations that it was the petitioner who had supplied the psychotropic substance, i.e., 100 mg each, to the accused Rahul.

Learned Senior Counsel further submits that the petitioner was arrested on 01.12.2025; however, nothing substantial, constituting an offence under the provisions of the NDPS Act, was recovered from his possession and name of petitioner is surfaced only on the basis of



disclosure statement of co-accused. It is further submitted that, as per the record, 21 calls were made to the main accused, Rahul, but nothing incriminating has been recovered. At this stage, without tracing or retrieving the details of the conversations, it cannot be presumed that the petitioner is actually involved in the case. The burden lies heavily upon the prosecution to prove the charges beyond reasonable doubt. Petitioner is in custody since 01.12.2025, i.e., for a period of more than four months.

Learned Senior counsel for the petitioner also submits that petitioner has clean antecedents and that no other case of a similar nature has ever been found registered against him.

In view of the above, counsel prays for the grant of regular bail to the petitioner.

4. Per contra, learned counsel for the respondent–State opposes the grant of bail, submitting that the allegations are serious in nature and fall within the rigours of the NDPS Act. Co-accused was apprehended with contraband, and petitioner’s involvement has emerged during investigation as the supplier of the said substance. The call detail records further establish a prima facie nexus between petitioner and co-accused. It is contended that, at this stage, the material on record cannot be discarded, and the petitioner has failed to satisfy the twin conditions under Section 37 of the NDPS Act. Therefore, prays for dismissal of present petition.

5. I have heard learned counsel for the parties and perused the paper-book alongwith the appended documents.

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6. Considering the fact that no recovery has been effected from the petitioner, and his alleged involvement is primarily based on the disclosure statement of the co-accused, coupled with the absence of any substantive incriminating material on record at this stage, this Court is of the view that the rigours of the NDPS Act would not operate as an absolute bar to the grant of bail. Furthermore, petitioner is in custody for a period of last more than four months, has clean antecedents, and trial is likely to take time to conclude, this Court is of the view that no substantial purpose would be served by keeping the petitioner any longer inside jail.

Accordingly, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

20.04.2026***Rashmi****Whether speaking/reasoned:* Yes/No*Whether Reportable:* Yes/No