



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-18200-2026
Decided on : 10.04.2026

Pawan Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Shailender Singh, Advocate
for the petitioner(s).

Mr. Amish Sharma, AAG Haryana

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Pawan Kumar, aged 32 years	85	08.03.2025	22(C) (Seciton 29 added later on) of the NDPS Act	Bilaspur	Yamuna Nagar

2. Learned counsel for the petitioner contends that on 07.03.2025, a secret informant conveyed specific information to the police that one Veerbhan @ Bhana was engaged in the illegal sale of intoxicant capsules and on that day, he would be coming towards village Chhalour via village Rampur Kamboyan to sell the said capsules. It was further informed that if a raid was conducted, the said accused could be apprehended.



Acting upon the said information, the police party intercepted accused Veerbhan @ Bhana, who was riding a Splendor motorcycle, bearing registration No.HR-71H-5263. During the search, a black coloured polythene bag placed on the fuel tank of the motorcycle was checked, from which five boxes of prohibited intoxicant capsules, namely Acetaminophen, Tramadol HCL and Dicyclomine HCL capsules (make: SPASPEACE) were recovered. Upon counting, total 1200 contraband capsules were found from the same.

3. As per the case of prosecution, during the course of investigation, accused Veerbhan @ Bhana, in his disclosure statement, alleged that it was the co-accused Sonu Kumar, who had supplied the said capsules to him.

That on being arrested Sonu Kumar (already on bail) disclosed the name of present petitioner and, except of the second degree disclosure statement of co-accused Sonu, there is no corroborative evidence.

4. Learned counsel for the petitioner submits that except of the disclosure statement made by the co-accused Sonu, and certain call detail records showing telephonic contact between the petitioner and the co-accused, there is no other independent or corroborative evidence available with the prosecution to connect the petitioner with the alleged offence.

It is further submitted that there is no material to show any deposit of money in the bank account of the petitioner or any other transaction indicating his involvement in the alleged illegal business of sale and purchase of narcotic drugs.

5. It is further submitted that petitioner is in custody since 25.09.2025, i.e., for a period of 06 months and 13 days.

Learned counsel also contends that nothing remains to be recovered from the possession of the petitioner and, therefore, his further detention is not



warranted. It is also argued that trial is likely to take a considerable time to conclude and no useful purpose would be served by keeping the petitioner behind bars during the pendency of the trial. He submits that co-accused Sonu Kumar has already been granted bail by this Court vide order dated 05.03.2026 passed in CRM-M-70475-2025. Thus, learned counsel prays that petitioner be granted the concession of regular bail in the present case.

6. Learned State counsel, while opposing the prayer made by learned counsel for the petitioner, refers to paragraph No.7 of the status report and submits that petitioner, who was using mobile No.9760760803, was found to be in telephonic contact with his coaccused, namely Sonu, using mobile No. 9813252464, during the period from 15.02.2025 to 07.03.2025.

For reference, paragraph No.7 of the status report filed in CRM-M-70475-2025 is reproduced hereunder:-

“7. That during course of investigation call detail of accused Veer Bhan alias Bhana having Mobile No. 9053544328 and Mobile No. 9813252464 of petitioner and Mobile No. 9760760803 of accused Pawan Kumar for the period from 15-02-2025 to 07-03-2025 were obtained and from perusal of the said call record, it was found that the above named accused persons were in contact with each other. As per CDR, petitioner talked with accused Veer Bhan 29 times, with Pawan 47 times. The copy of call detail record of aforesaid mobile phones is enclosed herewith for the period from 15-02-2025 to 07-03-2025 as Annexure R-6, R-7 and R-8.”

7. On the strength of the aforesaid status report, learned State counsel submits that since petitioner is alleged to be part of supply chain, he does not deserve the concession of regular bail.

8. This Court has heard the submissions addressed by learned counsel for the parties and has also perused the record available before it.

9. Considering the totality of the circumstances, nature of the allegations



levelled against the petitioner, and the factors noticed here above, including the fact that purpose for which the calls were allegedly made between the accused persons is a matter to be examined during the course of trial, this Court does not find any substantial reason to curtail the personal liberty of the petitioner any longer. Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

Consequently, prayer made in the 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, 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.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

April 10, 2026

reena

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