

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:076475



CRM-M-20328-2026 (O&M)

Lakhan Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

1.	The date when the judgment is reserved	13.05.2026
2.	The date when the judgment is pronounced	15.05.2026
3.	The date when the judgment is uploaded on the website	15.05.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. R.S. Bains, Senior Advocate with
Mr. Mohan Singh Chauhan, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed by the petitioner seeking grant of regular bail in case arising out of FIR No.76 dated 21.03.2025, registered under Sections 21(c) and 27(a) of the NDPS Act and Section 308 of the BNS, at Police Station Parao, District Ambala.
2. As per the allegations, on 21.03.2025, Accused Heera Chawla was

apprehended on the basis of a secret information. On conducting his search, one kg of heroin was recovered from his conscious possession. On interrogation, he suffered a disclosure statement to the effect that on the asking of the present petitioner, he had purchased the recovered contraband from a Nigerian and the petitioner had paid a sum of Rs.10 lakhs to him for this purpose. The petitioner was arrested on 02.08.2025. He too suffered a disclosure statement on the basis of which, accused Shivam Sood was arrested. Subsequently, some other persons were also nominated as additional accused. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused Heera Chawla, which cannot be considered to be legally admissible in evidence. No recovery has been effected from him. Co-accused Shivam Sood and Suraj Masih, whose case is on similar footing, have since been extended benefit of bail. On parity, he too deserves to be extended the same benefit. He has been implicated in other cases under the provisions of the NDPS Act due to connivance of police officials. He had been kept in illegal custody by the police in some other cases. Out of malice, this case has been foisted upon him. The allegations of his making payment of Rs.10 lakh to co-accused Heera Chawla to purchase contraband are totally false. He is on bail in all the other cases pending against him. His continuous detention would not serve any useful purpose. Rigors of Section 37 of the NDPS Act are not attracted qua him. It is, therefore, argued that he deserves to be extended the benefit of bail.

4. Per contra, learned State counsel while relying upon the status report, has argued that there are serious allegations against the petitioner. As per the disclosure statement of co-accused Heera Chawla, the petitioner had

given a sum of Rs.10 lakhs in cash to him for the purpose of procuring heroin. Some mobile phones have been recovered from the possession of co-accused Heera Chawla during the course of investigation and it has been revealed that these phones and one whatsapp number had been given to him by the present petitioner. The screen shots of the calls exchanged between the petitioner and co-accused Heera Chawla, their whatsapp chat and details of whatsapp calls have been taken into possession during the course of investigation and show close complicity of the petitioner and the co-accused. There is evidence of communication between the petitioner and co-accused Heera Chawla during the relevant period and several calls were exchanged between them, showing that the petitioner has remained in constant contact with the co-accused Heera Chawla from whom recovery of contraband has been effected. Recovery of an amount of Rs.5,69,000/- in cash was effected from his house in pursuance of his disclosure statement which corroborates his involvement in illicit trading of narcotics. His antecedents are not clean as he is involved in several other cases. Huge quantity of contraband had been recovered in this case. There are chances of the petitioner's absconding or committing similar offences, if extended benefit of bail. It is, thus, stressed that he does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner along with co-accused is alleged to be involved in the business of sale/purchase of contraband. As per the allegations, he had given an amount of Rs.10 lakhs to co-accused Heera Chawla in cash for the purpose of arranging contraband. The contraband purchased by co-accused Heera Chawla had been recovered by the police. The factum of exchange of

several calls between the petitioner and co-accused Heera Chawla *prima facie* establishes his complicity in the crime. Taking into consideration, the nature of the allegations as levelled against the petitioner and the role specifically attributed to him, his case cannot be stated to be at parity with the co-accused. The allegations against him are grave in nature and this Court does not find any compelling ground to allow this petition. Accordingly, the petition is dismissed.

7. It is clarified that any observation made in this order is only for deciding this petition and shall not influence the outcome of the trial and also not be taken as an expression of opinion on merits.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

15.05.2026
harjeet

(MANISHA BATRA)
JUDGE

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