



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

243

CRM-M-19859-2026 (O&M)  
Date of Decision:- 26.05.2026

Ajay @ Manda

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present:- Mr. Surjeet Singh Chahal, Advocate for the petitioner.  
(*through video conferencing*)

Mr. Ramesh Kumar Ambavta, DAG, Haryana.

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**SUBHAS MEHLA, J.** (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in case bearing FIR No.239 dated 22.11.2025 (Annexure P-1) registered under Sections 21(b) and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bhattu Kalan, District Fatehabad.

2. Briefly stated, on the basis of suspicion, the police apprehended juvenile in conflict with law 'R @ K', from whom recovery of 7.51 grams of heroin was effected. During investigation, the said juvenile suffered a disclosure statement alleging that the petitioner was the supplier of the aforesaid contraband.

3. Learned counsel for the petitioner prayed for concession of bail to the petitioner on the following grounds:

(i) The petitioner is in custody since 19.01.2026.



- (ii) Petitioner has been falsely implicated in the present case solely on the basis of disclosure statement of co-accused from whose possession the alleged contraband was recovered;
- (iii) Except the disclosure statement of co-accused, which itself is inadmissible in evidence, there is no other material to show complicity of the petitioner in the alleged offence;
- (iv) The alleged contraband falls under the category of intermediate quantity; and
- (v) Nothing has been recovered from the petitioner.

4. Learned State counsel upon instructions from ASI Krishan Kumar opposed the present petition on the following grounds:

- (i) That the name of the petitioner was mentioned in the FIR as well as on the basis of disclosure statement;
- (ii) The petitioner is a habitual offender and involved in multiple cases and out of which, two are under NDPS Act; and
- (ii) Investigation has already been completed, however, charges are yet to be framed.

5. Heard.

6. Keeping in view the submissions of learned counsel for the parties, facts and circumstances of the case, this Court finds merits in the present petition on the following grounds:

- (i) The petitioner is in custody since 19.01.2026 i.e. for the last more than 4 months;
- (ii) Petitioner has been implicated solely on the basis of disclosure statement of co-accused from whose possession the



alleged contraband was recovered, however, nothing has been recovered from the petitioner;

(iii) Except the disclosure statement of co-accused which is inadmissible in evidence, there is no other material on record to connect the present petitioner with the alleged commission of offence;

(iv) The alleged contraband recovered from co-accused falls under intermediate quantity;

(v) 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.

7. The concession of bail cannot be denied just as a measure of punishment, as it is a trite principle of criminal jurisprudence that bail is a rule, jail is an exception. Hence, in view of aforementioned ground, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

8. 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.

26.05.2026  
Geeta

( SUBHAS MEHLA )  
JUDGE

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |