

2026.PHHC.062820



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

209

CRM-M-21067-2026 (O&M)

Date of decision: 24.04.2026

Shaitan Singh @ Satan Singh

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Divya Narula, Advocate for the petitioner
Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.87 dated 03.05.2025, registered under Sections 15(c)/27A/29/25/61/85 of NDPS Act, 1985 at Police Station NS Chopta, District Sirsa.

3. Learned counsel contends that the petitioner has been in custody for 6 months and 4 days. His name surfaced based on the disclosure statement of co-accused Leeladhar @ Oma, who has since been granted bail by this Court vide order dated 21.04.2026, after being in custody of 6 months and 1 day, who was also named by co-accused Dinesh from whom commercial quantity was allegedly recovered. No recovery has been effected from the petitioner. Challan was presented on 28.10.2025, but charges have not been framed so far. In all there are 19 prosecution witnesses. He is involved in two more cases, wherein in he is on bail. Reliance is placed on the judgment passed by Hon'ble The Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and**

others, 2012(2) SCC 382.

4. The custody certificate dated 22.04.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 6 months and 4 days.

5. Learned State counsel opposes the bail on the ground that the commercial quantity of contraband was allegedly recovered from the co-accused, who has specifically named the petitioner. However, he is unable to controvert the submissions with regard to stage of the case, co-accused having been granted bail and the petitioner being on bail in other cases.

6. Heard.

7. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for 06 months and 4 days; on bail in other cases; co-accused is on bail; challan was presented on 28.10.2025, but charges are to be framed; there are a total of 19 prosecution witnesses, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.

- (iv) The petitioner shall not commit an offence similar to the offence of which, he is accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of affidavit/s to the trial Court and not change the same till conclusion of trial and if for any reasons, they seek to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

9. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

24.04.2026
ashok

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