



CRM-M-24250-2025

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(106)

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

CRM-M-24250-2025

Date of Decision: 19.05.2026

SURINDER SINGH**... Petitioner****Versus****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Sumer Singh Boparai, Advocate,
Mr. Surya Pratap Singh, Advocate,
Mr. Abhilash Pathak, Advocate and
Mr. Ankit Jangra, Advocate for the petitioner.

Mr. T.P. Singh, Senior DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.1016 dated 04.12.2024 registered under Sections 21(c) of NDPS Act, 1985 at Police Station Hisar Sadar, District Hisar (Challan presented under Section 22 (c) of NDPS Act.

2. The brief facts of the case are that Sombir and Mahipal were apprehended with 300 grams of heroin, which was later found to be Tramadol. FIR No.1008 dated 03.12.2024 under Sections 22-C, 27-A of NDPS Act at Police Station Sadar Hisar came to be registered. They disclosed the name of Surinder Singh (petitioner) as the supplier. Surinder Singh (petitioner) was apprehended with 470 grams of heroin (subsequently found to be Tramadol), and the present FIR came to be registered.

3. The learned counsel for the petitioner contends that the present FIR could not have been registered inasmuch as the petitioner was

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apprehended with the contraband in furtherance of the first FIR bearing No.1008 dated 03.12.2024, in which he has already been granted the concession of bail. As the petitioner is in custody since 04.12.2024 but none of the 20 prosecution witnesses has been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

3. On the other hand, the learned State counsel has filed a reply dated 10.04.2026, which is taken on record. While referring to the said reply, he contends that initially, FIR No.1008 dated 03.12.2024 under Sections 22-C and 27-A of NDPS Act was registered on the arrest of Sombir and Mahavir. In the said case, the arrested accused suffered disclosure statements naming the petitioner. However, separately, the investigating agency received secret information that the petitioner was involved in drug trafficking. It was in furtherance of the said information that a barricade was set up and the petitioner came to be apprehended. He, therefore, contends that the petitioner is not entitled to the concession of bail, as he is a habitual offender. It is, however, conceded that the petitioner is in custody since 04.12.2024 and that none of the 20 prosecution witnesses has been examined so far.

4. I have heard the learned counsel for the parties.

5. Admittedly, when the two co-accused of the petitioner were apprehended in FIR No.1008 dated 03.12.2024, they suffered their disclosure statements naming the present petitioner. It would be a moot point during the course of the trial as to whether the subsequent FIR could have been

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registered. The petitioner is stated to be in custody since 04.12.2024 but none of the 20 prosecution witnesses has been examined so far. Keeping in view the custody period undergone by the petitioner and the fact that he has already been granted the concession of bail in FIR No.1008 dated 03.12.2024, his further incarceration in the present case is not required.

6. Thus without commenting on the merits of the case, the present petition is allowed and petitioner Surinder Singh S/o Rahgir Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

7. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

8. The petition stands disposed of.

19.05.2026

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**(JASJIT SINGH BEDI)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**