



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

Sr. No.225

CRM-M-27972-2026
Date of Decision: 27.05.2026

CHARAN SINGH

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Krishan Singh, Advocate
for the petitioner.

Mr. Vaibhav Sharma, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. This is the third petition under Section 483 of BNSS (Section 439 Cr.P.C.) for grant of Regular Bail to the petitioner in case FIR No. 229 dated 19.12.2025 under Section 22-C & 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 registered at Police Station Sector-20, Panchkula, District Panchkula, Haryana.

2. The brief facts of the case are that on 19.12.2025, acting on secret information, a raiding party was constituted by the Narcotics Cell, Panchkula, in compliance with Section 42 of the NDPS Act. The information indicated that co-accused Baljinder Singh would come near the Water Treatment Plant, Sector-20, Panchkula, for delivery of contraband. He was apprehended at the spot, and after compliance of Section 50 NDPS Act, a search was conducted in the presence of a Gazetted Officer, resulting in recovery of 1200 tablets of Tramadol weighing about 364 grams from his conscious possession. The contraband was seized in accordance with law,



and investigation allegedly revealed an inter-State network involving other accused persons.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is further contended that no recovery was effected from the conscious possession of the petitioner. It is submitted that the recovery of 1200 tablets of Tramadol (TEERSCEN-SR), weighing approx. 364 grams, was effected solely from the co-accused namely Baljinder Singh. Counsel further submits that the petitioner has clean antecedents and is not involved in any other criminal case. There is no direct or indirect evidence connecting the petitioner with the alleged offence, and no independent witness was associated at the time of recording the disclosure. The petitioner has been in custody for the last five months, and no useful purpose would be served by keeping him in further custody for an indefinite period.

4. On the other hand, learned State counsel has opposed the present bail application on the ground that the case involves the recovery of a commercial quantity of contraband. It is submitted that the petitioner, Charan Singh, was not in conscious possession of the recovered contraband. However, the State contends that the petitioner remained in constant touch with co-accused Baljinder Singh, from whose conscious possession the contraband was recovered. It is further alleged that the petitioner was actively involved in the purchase and sale of contraband in commercial quantities and had further supplied the same to addicts, which led to the registration of the present FIR. Accordingly, it is submitted that the present petition deserves to be dismissed.



5. I have considered the rival submissions made by learned counsel for the parties and have perused the material available on record. Admittedly, no recovery was effected from the conscious possession of the petitioner, as the alleged recovery of 1200 tablets of Tramadol (TEERSCEN-SR), weighing approx. 364 grams, was effected from the pocket of the co-accused. The petitioner has remained in custody for the last 05 months, and the conclusion of the trial is likely to take considerable time.

6. The evidentiary value of a disclosure statement of a co-accused, in the absence of recovery or corroboration, is weak in view of the settled position of law laid down by the Hon'ble Supreme Court in '***Vijay Singh vs. The State of Haryana***', ***bearing Special Leave to Appeal (Crl.) No.(s) 1266/2023 decided on 17.05.2023***' has held as under:

"The petitioner is alleged to have committed offences under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter called the NDPS Act)". His application for anticipatory bail was rejected by the High Court. The allegations in the FIR are that 1.7 Kg of Poppy Straw (Doda Post) was recovered from the co-accused. The petitioner concededly was not present at the spot but was named by the co-accused. That apart there is no other material to implicate the petitioner. The prosecution urges that another case with allegations of commission of offence under the NDPS Act are pending against the petitioner. It is not denied that in those proceedings he was granted bail. Having regard to these circumstances, the petitioner is directed to the enlarged on anticipatory bail, subject to such terms and conditions as the trial Court may impose. The petition is allowed."

7. Keeping in view the overall facts and circumstances, this Court is of the opinion that the petitioner has made out a case for grant of regular bail.



8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

9. However, it is made clear that nothing stated hereinabove shall be construed as an expression on the merits of the case.

10. All the pending miscellaneous application(s), if any, stands disposed of.

27.05.2026
Anu

(MANDEEP PANNU)
JUDGE

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