



CRM-M-30655-2026

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

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CRM-M-30655-2026
Date of Decision: 01.07.2026

ATTAR SINGH**... PETITIONER****VERSUS****STATE OF HARYANA****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Rajesh Bansal, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This second regular bail petition has been filed under Section 483 of BNSS (erstwhile Section 439 Cr.P.C) in case FIR No. 37 dated 25.02.2024 under Section 20 of NDPS Act, 1985 (Section 29 of NDPS Act added lateron) registered at Police Station Madlauda, District Panipat.

2. The brief facts of the case are that on 25.02.2024, while the police party was present at the bus stop of Village Nohra on patrolling duty and in search of anti-social elements, they received a secret information that one Daya Singh would be coming from the side of Village Aasan Kalan and proceeding towards Panipat to sell narcotic substances. Acting upon the said information, the police party laid a naka by erecting barricades and apprehended the said accused. Upon conducting his search, 1.5 kg of charas, wrapped in a transparent polythene bag, was allegedly recovered from the seat of his vehicle. Consequently, the present FIR was registered. During the course of investigation, on the basis of the disclosure statement suffered by accused Daya



Singh, the petitioner was nominated as an accused in the present FIR on the allegation that he was the supplier of the recovered contraband.

3. Learned counsel for the petitioner submits that the petitioner has been implicated solely on the basis of the disclosure statement made by the co-accused while in police custody, which is inadmissible in evidence. It is further submitted that no recovery has been effected from the conscious possession of the petitioner. He further submits that the co-accused, namely, Manoharma @ Kalwati and Sunil @ Kala @ Sunil Kumar Bhandari, have already been granted the concession of regular bail by a Coordinate Bench of this Court vide order dated 09.09.2024 passed in CRM-M Nos. 37149 and 42321 of 2024. It is further contended that the petitioner has been in custody since 26.02.2024 and prays for the grant of regular bail to the petitioner.

4. Notice of motion.

5. Mr. Vijay Kumar, AAG, Haryana accepts notice on behalf of the respondent-State and vehemently opposes the prayer made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender and has been involved in other cases under the NDPS Act. Learned State counsel has filed the custody certificate in Court today, which is taken on record. As per the custody certificate, the petitioner has been in custody for the last 02 years, 04 months and 05 days and involved in other cases under NDPS Act. He further submits that, out of the 25 prosecution witnesses cited by the prosecution, only 04 have been examined so far.

6. I have heard the learned counsel for the parties and perused the record.

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7. Keeping in view the facts and circumstances of the present case and the fact that the petitioner is in custody for the last 02 years, 04 months and 05 days; co-accused have already been granted concession of regular bail; that apart from the disclosure statement, there is no other substantive evidence to connect the petitioner with the recovery effected from the co-accused coupled with the fact that the trial is likely to take considerable time, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail during the pendency of the trial.

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 bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that if on bail so granted through the instant order, the petitioner is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

10. Pending applications, if any, shall also stand disposed of.

01.07.2026
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(H.S.GREWAL)
JUDGE

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