



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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1) CRM-M-33830-2025 (O&M)
Decided on : 29.01.2026

Aamir Khan . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

2) CRM-M-37286-2025

Nafish . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

3) CRM-M-42806-2025

Kuldeep Singh . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

4) CRM-M-67741-2025

Mohit Kumar . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Naresh K. Chhokar, Advocate
for the petitioner(s) (in CRM-M-37286-2025).

Mr. Vimal Kumar Gupta, Advocate
for the petitioner(s) (in CRM-M-37286-2025).

Mr. Amarsh Dudeja, Advocate
for the petitioner(s) (in CRM-M-42806-2025).

Mr. Hamid Hussain, Advocate
for the petitioner(s) (in CRM-M-67741-2025).

Mr. P.K. Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-33830-2025, CRM-M-37286-2025, CRM-M-42806-2025 and CRM-M-67741-2025, as all the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-33830-2025.
2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Aamir Khan (petitioner in CRM-M-33830-2025)	24	18.01.2025	22(C)/29 of NDPS Act, 1985	Chandimandir	Panchkula
Nafish (petitioner in CRM-M-37286-2025)					
Kuldeep Singh (petitioner in CRM-M-42806-2025)					
Mohit Kumar (petitioner in CRM-M-67741-2025)					

3. As per the case of the prosecution, on 18.01.2025, when the members of the police party were on patrolling duty and present under the overbridge on Main Highway Panchkula–Yamuna Nagar near village Mattwala, a secret informant informed at about 3:10 PM that Shamsher s/o Somnath, r/o Village Bunga, District Panchkula, could be apprehended with narcotic substance if raided on the same day. Thereupon, the said accused was intercepted and, in the presence of a Gazetted Officer, from the left pocket of the jacket worn by accused Shamsher, 20 strips containing 60 tablets each of Lomotil, i.e. a total of 1200 tablets, were recovered.
4. Learned counsel contends that the weight of the 1200 recovered Lomotil tablets is 76.068 grams. After arrest of accused Shamsher, another

accused, namely Kuldeep Singh (petitioner in CRM-M-42806-2025), was nominated on the basis of the disclosure statement of accused Shamsher Singh. After the arrest of petitioner Kuldeep Singh, on the basis of his disclosure statement, another accused Mohit Kumar (petitioner in CRM-M-67741-2025) was arrested.

Thereafter, a similar disclosure statement of accused Mohit Kumar was recorded, on the basis of which another accused, namely Nafish (petitioner in CRM-M-37286-2025), was arrested, and subsequently, Aamir Khan (petitioner in CRM-M-33830-2025) was also added as an accused in the present case.

5. It is an admitted position in all the aforementioned petitions, as well as in the status reports filed separately in each case, that except accused Shamsher Singh, all other accused (petitioners herein) have been implicated in the present case solely on the basis of disclosure statements of the arrested accused persons. It is further not disputed that, except petitioner Kuldeep Singh, the other three petitioners, namely Mohit Kumar, Nafish and Aamir Khan, were already confined in jail in connection with other criminal cases at the time they were nominated in the present FIR.

Thus, the prosecution primarily relies upon disclosure statements of co-accused persons, on the basis of which the present petitioners were subsequently arrayed as accused and detained in custody.

6. The prosecution has sought to explain through the status reports that during investigation, CDR, CAF and location details of the accused persons, namely Mohit Kumar, Nafish, Aamir Khan, Shamsher Singh and Kuldeep Singh, were obtained, which allegedly show that they were in contact with each other. Therefore, another piece of evidence relied upon by the prosecution is the telephonic connectivity amongst the accused persons.

However, whether such material would be sufficient to establish culpability is a matter to be determined by the trial Court after the entire evidence is led. It is also an admitted position that there is a long list of prosecution witnesses, i.e. about 20 in number, and till date none of them has been examined. Thus, there is no likelihood of conclusion of the trial in the near future.

7. Undoubtedly, the burden lies heavily upon the prosecution to prove the charges beyond reasonable doubt, particularly in cases under statutes prescribing stringent punishment with a minimum sentence of 10 years. Taking into consideration the total period of incarceration of all the petitioners since January/February 2025, and the fact that three of them, namely Mohit Kumar, Nafish and Aamir Khan, were already in custody in other cases at the time of recording of the disclosure statements, I deem it appropriate not to continue their further detention in the present case.

Consequently, prayer made in the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

Petitions stand disposed of.

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the files of other connected cases.

**(SANJAY VASHISTH)
JUDGE**

January 29, 2026

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No