



CRM-M-49394-2025 (O&M)

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

(226+112)

**CRM-M-49394-2025 (O&M)
Date of decision : 20.01.2026**

VIKAS KUMAR @ LADDU

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jashandeep Singh Sandhu, Advocate for the petitioner

Ms. Himani Arora, DAG, Haryana

Mr. DPS Joura, Advocate for the complainant

MANISHA BATRA, J. (ORAL)

CRM-1979-2026

1. Prayer in this application is made for placing on record Annexures P4 to P7 respectively.

2. Application is allowed subject to just exceptions and the Annexures P4 to P7 are ordered to be placed on record.

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1. The present petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case arising out of FIR No.65 dated 09.03.2025 registered under Sections 105, 123 and 61 of Bharatiya

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Nyaya Sanhita (for short “BNS”) [Sections 125, 110 and 61(2) of BNS added later on) at Police Station Sadar Dabwali, District Sirsa.

2. The aforementioned FIR was registered on the basis of the statement recorded by the complainant Lakhwinder Singh @ Mitha alleging that on the night of 08.03.2025 a marriage function was going on in his house, when he came to know that his another nephew Husan Preet Singh and his friend were lying down in the fields under influence of some intoxicant. The complainant alongwith Harpreet Singh reached there and found both of them to be in critical condition. On asking Husan Preet disclosed to him that he used to bring heroin from the petitioner and co-accused Ram Kumar, Vijay and Amardeep and consume it. On that day all of them had forcibly given huge quantity of contraband to both of them which was consumed by them. Both of them were taken to the hospital but Husan Preet died during the course of treatment. After registration of FIR, investigation proceedings were initiated. The petitioner was joined into investigation of this case on 10.03.2025. He suffered disclosure statement admitting his involvement in the crime. The co-accused were also arrested. Investigation now stands completed and the petitioner alongwith the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has no connection with the alleged occurrence. No recovery has been effected from him. There is no eye-witness to the factum of supplying any contraband by him to the

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victim. He is in custody since long. The trial will take considerable time to conclude. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. The complainant and other material witnesses have already been examined and have not supported the version of the prosecution. It is, therefore, argued that the petition deserve to be allowed.

4. Status report and custody certificate have been filed. Learned State counsel has argued that there are serious allegations against the petitioner and hence, he does not deserve to be extended benefit of bail especially in view of the fact that he is a habitual offender and as many as 11 cases under the provisions of NDPS Act have been registered against him. Learned counsel for the complainant present in the Court has, however, raised no serious objection to the allowing of the petition.

5. This Court has heard the rival submissions made by the counsels for the parties at considerable length.

6. The petitioner alongwith the co-accused is alleged to have supplied contraband to the victim Husan Preet Singh and his friend Malkit Singh who had consumed the intoxicant on the fateful day. Husan Preet Singh died due to the overdose of the same. As per the allegations, the name of the petitioner had been disclosed to the complainant by the deceased before his death. However, the complainant has since been examined before the Trial Court as PW1. A copy of his sworn deposition has been placed on record which shows that he did not implicate the petitioner or any other accused in commission of the subject offences.

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Other material witnesses have also been examined and none of them has supported the prosecution version with regard to the involvement of the petitioner. The petitioner is in custody for a period of over 10 months. The trial will obviously take time to conclude since only 05 out of 23 witnesses have been examined. The petitioner is shown to be involved in several other cases but he cannot be denied benefit of bail due to that reason alone. Taking into consideration the nature of the evidence which has come on record in the form of statements of the material witnesses including the complainant, the period spent by the petitioner in custody and the above discussed facts but without meaning to make any comments on the merits of the case lest the same prejudice the trial in any manner, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal and surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned and on the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) The petitioner shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) The petitioner shall appear before each and every date of hearing.

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(iv) The petitioner shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.

(v) The petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

(vi) The petitioner shall surrender his passport, if any, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

7. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

20.01.2026
Amit Sharma

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