



CRM-M-50551-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on :12.02.2026

Sanjay Sahu

... Petitioner(s)

Versus

Union of India

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Saurav Gumbal, Advocate for the petitioner.

Mr. H.S. Sullar, S. Public Prosecutor for NCB.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in NCB Crime No.5 dated 11.04.2024, under Section 8, 18 and 29 of NDPS Act, registered at Police Station Narcotics Control Bureau, Chandigarh Zone.

2. As per the allegations, on 11.04.2024, secret information was received regarding the involvement of one Kashmir Singh Kang in the illegal trade of opium, which he had obtained from his co-accused- Karam Chand Sahu. On being intercepted by officials of the NCB, 2 kgs of opium were recovered from the possession of Kashmir Singh while he was traveling by train.

3. On the basis of his disclosure statement, it was recorded that the recovered opium had been supplied to Kashmir Singh by Karam Chand Sahu. When Karam Chand Sahu was arrested, he named the present petitioner as the actual supplier of the contraband.

4. Learned counsel for the petitioner submits that, except for the disclosure statement of co-accused Karam Chand Sahu, no other



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connecting evidence has been collected by the Investigating Officer during the course of investigation. Counsel further contends that the disclosure statement of a co-accused is not admissible under law.

5. Learned counsel also submits that main accused-Kashmir Singh, has already been granted bail by this Court vide order dated 22.05.2025 passed in CRM-M-35174-2024. Even co-accused namely Karam Chand Sahu, who is similarly situated, has been granted regular bail vide order dated 17.07.2025 (Annexure P-4) passed in CRM-M-21149-2025. Petitioner is in custody since 17.11.2024. Out of a total of 18 prosecution witnesses, 4 have been examined and 1 has been given up. Accordingly, learned counsel prays for the grant of regular bail to the petitioner.

6. Learned counsel for the respondent-State opposes the prayer for grant of regular bail by submitting that the petitioner has been named as the actual supplier of 2 kgs of opium by co-accused Karam Chand Sahu. Investigation is still pending, several material witnesses are yet to be examined, and releasing the petitioner at this stage may hinder the progress of the trial. Therefore, prays for dismissal of present petition.

7. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto.

8. Considering the fact that the petitioner is in custody since 17.11.2024, main co-accused and other similarly situated persons have already been granted bail, and the trial is likely to take considerable time,



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the personal liberty of the petitioner cannot be curtailed indefinitely.

Accordingly, this Court finds merit in the prayer for regular bail.

Consequently, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Any of the discussion done and recorded hereabove, 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, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

12.02.2026

Rashmi

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No