

2026.PHHC.028168



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

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CRM-M-55552-2025 (O & M)

Date of decision: 23.02.2026

MICHEAL IZUCHUKWU

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Mohit Arora, Advocate,
for the petitioner.

Mr. B.S.Saroha, DAG, Haryana.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 483 BNSS for grant of regular bail to the petitioner in FIR No.548 dated 16.10.2024, registered at Police Station Sadar Thanesar, District Kurukshetra, under Sections 21, 27-A, 29 NDPS Act, 1985 (Sections 27-A and 29 NDPS Act added later on).

2. Learned counsel contends that the petitioner is in custody for 1 year and 4 months. He alleges false implication. His name surfaced based on the disclosure statement of co-accused, Nitesh, from whom and one Subhash commercial quantity of contraband was recovered, it being 410 grams of heroin. Co-accused Narender @ Nindu has since been granted bail, vide order dated 06.02.2025, Annexure P-1. There is no recovery effected from the petitioner and no evidence has also emerged to

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connect him to the case, but for the aforesaid disclosure statement, which is inadmissible in the eyes of law as per the judgment passed by Hon'ble the Supreme Court in the case of **Tofan Singh vs. State of Tamil Nadu**, 2021 (1) RCR (Crl.). Charges have been framed on 28.08.2025, however, none has been examined out of 17 PWs. He is not involved in any other case.

3. Learned State counsel opposes the bail on the ground that there are specific allegations levelled against the petitioner by his co-accused of having supplied the contraband. However, he is unable to controvert the submissions with regard to stage of the case; the petitioner being not involved in any other case and the co-accused having been released on bail.

4. Heard.

5. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 year and 4 months; not involved in any other case; co-accused is on bail; charges stand framed on 28.08.2025, but out of 17 PWs, none has been examined so far; the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

6. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

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- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The petitioner shall also report to the concerned Police Station on the first Monday of every month.
- (x) The passport of the petitioner shall not be handed over to him without permission of the trial Court.
- (xi) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

8. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and

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would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

23.02.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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