

**CRM-M-59155-2025 (O&M)****CRM-M-52723-2025 (O&M)****-2-**

short 'BNSS') seeking grant of regular bail in case arising out of FIR No.192 dated 17.05.2025 registered under Sections 105 and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 21 of NDPS Act, registered at Police Station City Kharar, District SAS Nagar.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Sarabjeet Singh on 17.05.2025 alleging therein that on 16.05.2025 the accused Yuvraj Singh came to his house and took his son Milanjot Singh with him forcibly. His son did not return back till night and at about 08.34 PM, he received a call that he was admitted in Sector 32 Hospital, Chandigarh. On reaching there, the complainant met accused Parampreet Singh and also found that his son had expired due to intoxicating drugs being administered to him by alleging that Yuvraj Singh and Parampreet Singh are responsible for the death of his son. The complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. Post-mortem of dead body of the victim was conducted as per which the death has occurred due to overdose of drugs. The accused Parampreet Singh was arrested. He suffered disclosure statement to the effect that the drugs had been supplied to him by the present petitioners. Another disclosure statement was suffered by the accused Parampreet Singh on 18.05.2025 as per which he had not purchased the drugs from the present petitioners. The petitioners were arrested on 20.05.2025. Recovery of 01 gram of contraband heroin was effected from them. Investigation now stands completed.

**CRM-M-59155-2025 (O&M)****CRM-M-52723-2025 (O&M)****-3-**

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case on the basis of disclosure statement of co-accused which cannot be considered to be admissible in evidence. They were neither named in the FIR nor they were alleged to be involved in commission of the subject offence. They are in custody since long. They are not required for further investigation. The trial will take considerable time to conclude as none out of 16 prosecution witnesses has been examined so far. They have clean antecedents. It is thus, urged that they deserves to be released on bail.

4. Status report and custody certificate have been filed. Learned State counsel has submitted that the status report filed in CRM-M-59155-2025 be considered as reply in CRM-M-52723-2025 also. Learned State counsel has argued that taking into consideration the gravity of the allegations as levelled against the petitioners, they do not deserve to be released on bail.

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

6. The petitioners is alleged to have supplied contraband to the co-accused Parampreet Singh who alongwith the accused Yuvraj Singh had allegedly administered the same to the victim resulting into his unnatural death. As per the status report itself, the co-accused Parampreet Singh had suffered a second disclosure statement to the effect that the drug had not been supplied to him by the petitioners. The recovery of the contraband as allegedly effected from the petitioners is of

**CRM-M-59155-2025 (O&M)****CRM-M-52723-2025 (O&M)****-4-**

small quantity. The petitioners do not have criminal antecedents. The trial will obviously take considerable time to conclude. In the considered opinion of this Court, their further incarceration would not serve any useful purpose. Taking into consideration the above discussed facts, the petitions are allowed and the petitioners are ordered to be admitted to bail subject to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. In the event of their being involved in any FIR/complaint lodged against the petitioners, it shall be open to the respondent-State to seek redressal by filing an application seeking cancellation of bail.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

9. Since the main petitions have been allowed, pending application, if any, is rendered infructuous.

10. A photocopy of this order be also placed in the file of other connected case.

(MANISHA BATRA)
JUDGE

12.01.2026
Amit Sharma

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