

CRM-M-60012-2025
CRM-M-68678-2025
CRM-M-70163-2025

1

2026:PHHC:005674



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-60012-2025

JORA RAM

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CRM-M-68678-2025

MAHENDER

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CRM-M-70163-2025

RAKESH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

Decided on : 16.01.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Aditya Sanghi, Advocate,
for the petitioner (in CRM-M-60012-2025),
Mr. Jasvir Singh Dhaliwal, Advocate,
for the petitioner (in CRM-M-70163-2025), and
Mr. Kanwaljeet Singh Brar, Advocate,
for the petitioner (in CRM-M-68678-2025).

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J.

1. By this common order, all the aforementioned three petitions, i.e. CRM-M-60012-2025, CRM-M-68678-2025 and CRM-M-70163-2025 shall stand disposed of.

CRM-M-60012-2025
CRM-M-68678-2025
CRM-M-70163-2025

2026:PHHC:005674

2



2. Petitioner – Jora Ram has filed petition, i.e. CRM-M-60012-2025, for grant of regular bail in case, FIR No.178 dated 16.05.2025 under Sections 15-C/27-A/29-61-85 of NDPS Act, 1985, and Section 238 of BNS, 2023, registered at Police Station Sadar Fatehabad, District Fatehabad.

Petitioner – Mahender has filed petition, i.e. CRM-M-68678-2025, for grant of regular bail in case, FIR No.178 dated 16.05.2025 under Sections 15(c) of NDPS Act, and Section 27-A and 29 of NDPS Act, 1985 added later on, and Section 238 of BNS, 2023, added later on, registered at Police Station Sadar Fatehabad, District Fatehabad.

Petitioner – Rakesh has filed petition, i.e. CRM-M-70163-2025, for grant of regular bail in case, FIR No.178 dated 16.05.2025 under Sections 15(c), 27(A), 29, 31 of NDPS Act, 1985, registered at Police Station Sadar Fatehabad, District Fatehabad.

3. Learned counsel for the petitioners contends that, as per the prosecution case, a secret informer apprised the police team that two accused, namely Hardeep Singh @ Deep and Akashdeep @ Muchri, would be transporting poppy husk (*doda post*) in a Bolero Pick-Up vehicle, bearing registration No.PB-23M-6117, concealed beneath sacks of onions, and if a raid was conducted or they were intercepted, recovery could be effected from them.

Acting upon the said information, police party installed a *naka* near the NAYARA Petrol Pump on the Fatehabad–Ratia Road and commenced *nakabandi*, checking vehicles passing through the area.



When the Bolero Pick-Up, bearing the aforesaid registration number, was intercepted and inspected, accused Hardeep Singh @ Deep was found driving the vehicle, while his co-accused Akashdeep @ Muchri was seated beside him.

Upon conducting search of the vehicle, 12 gunny bags containing total 240 kilograms and 860 grams poppy husk (*doda post*), were allegedly recovered from the rear portion of the vehicle beneath the onion sacks. Although the weight of each bag has been specified in the FIR, yet it is noteworthy that each bag weighed more than 20 kilograms.

4. After their arrest, accused disclosed in their statements that two other co-accused, namely Ajay @ Akashdeep @ Binder and Rakesh, were escorting the vehicle by following it. However, it is noticed that neither the names nor the details of these alleged escorting accused were disclosed by the secret informer, nor any such second vehicle was noticed by the police party during *nakabandi* or at the time of recovery of the contraband from accused Hardeep Singh @ Deep and Akashdeep @ Muchri.

Simultaneously, the arrested accused also disclosed the name of another accused, namely Mahender, alleging that the recovered contraband was supplied to them by him. Consequently, Mahender was arrested on 19.05.2025.

5. At this stage, learned State counsel has filed status reports dated 12.01.2026 in all three connected cases, which are taken on record. Registry is directed to tag the same at the appropriate place on the file.



6. As per the said status reports, co-accused Ajay @ Akashdeep @ Binder (arrested on 29.05.2025) and Rakesh (arrested on 12.09.2025) were implicated in the present case on the basis of disclosure statements, as well as verification of the vehicle allegedly used by them through toll plaza records and CCTV footage installed at the toll plaza.

Further, after the arrest of accused Mahender on 19.05.2025, his disclosure statement led to the involvement of another accused, namely Jora Ram, alleged to be supplier of the contraband to Mahender, who in turn supplied it to the accused apprehended at the initial stage. Accused Jora Ram was accordingly arrested on 02.07.2025.

7. Learned counsel for the petitioners further submits that upon completion of investigation, final report/*challan* has been presented before the trial Court on 11.11.2025, citing total 27 prosecution witnesses. The trial is presently pending at the stage of recording of prosecution evidence, and therefore, its conclusion is likely to take a considerable period of time. Thus, counsel for the petitioners jointly pray for grant of regular bail to the petitioners in the present case.

8. On the other hand, learned State counsel, produces the custody certificates dated 15.01.2026 in Court today, which are taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

9. As per the custody certificate, in the present case, (1) petitioner – Jora Ram has already undergone 06 months and 14 days period inside jail, (2) petitioner – Rakesh Kumar has already undergone



03 months and 24 days period inside jail, and (3) petitioner – Mahender has already undergone 07 months and 27 days period inside jail.

10. Learned State counsel, while opposing the prayer and submissions advanced by learned counsel for the petitioners, submits that, having regard to the totality of the circumstances and grave nature of the offence, petitioners are not entitled to the concession of regular bail.

It is further contended that there exists a strong likelihood that, in case, petitioners are released on bail, they may again indulge in illegal trafficking of contraband. Thus, learned State counsel prays for dismissal of the present petitions.

11. This Court has heard the submissions addressed by learned counsel for the parties and has carefully perused the record available before it.

12. From the roles assigned in the respective status reports filed by learned State counsel in the present bail petitions, it emerges that the vehicle from which the contraband was recovered was a Bolero Pick-Up, bearing registration No. PB-23-M-6117. The vehicle alleged to have been escorting it was an Ertiga car, bearing registration No. HR-05-AL-7157, which was allegedly being driven by accused Rakesh and occupied by Ajay @ Akashdeep @ Binder.

It further transpires that no contraband or any other incriminating article was recovered from the possession of petitioners Rakesh, Mahender and Jora Ram.



13. In this regard, perusal of the status report filed in respect of petitioner Jora Ram, particularly paragraph Nos.22 and 23 thereof, indicates that case of the prosecution, *qua* all the three petitioners herein, is founded solely on the disclosure statements of the co-accused or the alleged confessional statements made by the accused persons themselves. Admittedly, no recovery has been effected from the possession of any of the petitioners.

14. A similar factual position is reflected in the status reports pertaining to the other petitioners, namely Mahender and Rakesh, and therefore, the same is not required to be reiterated.

15. This Court is of the considered opinion that it would be incumbent upon the prosecution to establish, during trial, the nexus between the Ertiga car and the Bolero Pick-Up from which the recovery was effected, as well as the allegations regarding the supply chain of the poppy husk, i.e. the alleged supply by petitioner Jora Ram to Mahender and, thereafter, to the accused apprehended at the initial stage, i.e., Hardeep Singh @ Deep and Akashdeep @ Muchhri, involving a quantity of 240.860 kilograms of poppy husk. Evidence in this regard is yet to be led, and thus, the burden of proving these allegations lies heavily upon the prosecution.

16. In view of the totality of the circumstances, nature of the allegations levelled against the petitioners, and the factors noticed here above, this Court deems it appropriate to grant the concession of bail to all the three petitioners in the present case.

CRM-M-60012-2025
CRM-M-68678-2025
CRM-M-70163-2025

2026:PHHC:005674

7



17. Consequently, prayer made in all the three present petitions is **allowed**. Petitioners namely Jora Ram, Mahender and Rakesh 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.

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

19. 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.

20. 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.

21. All the three petitions stand disposed of.

22. A photocopy of this order be placed on the files of other connected cases.

(SANJAY VASHISTH)
JUDGE

16.01.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO