

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

120

2026 PHHC 045280



**CRM-M-68414-2025 (O&M).
Date of decision: 23.03.2026.**

YASH PAL @ GORA**...Petitioner(s)****VERSUS****STATE OF PUNJAB****...Respondent(s)****CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present :- Mr. Jashandeep Singh, Advocate,
(Through Video Conference)
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.01 dated 01.01.2025, under Section(s) 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City, District Hoshiarpur.

Status report already filed on behalf of the respondent-State is taken on record.

Briefly stated, on 01.01.2025, ASI Satnam Singh, along with other police officials, was going towards Bhangi Choe side in connection with CASO operation, reached near Dharamshala situated in Gaushala Bazar. When they were about to climb the stairs of second storey of Dharamshala, two young boys saw the police party and became perplexed. One person threw

the polythene envelope, being carried by him in his hand, in the room of Dharamshala. They were apprehended by the police party and on inquiry they disclosed their names as Love and Manjinder Kumar. Search of accused persons was conducted as per rules. When the search of the envelope thrown by the accused persons was conducted, 270 grams intoxicating substance was recovered from the envelope. Parcel of the same was prepared and taken into police possession vide separate recovery memo. Both the accused were arrested. During investigation, accused Manjinder Singh suffered disclosure statement that he had brought the said intoxicant substance from Yashpal @ Gora (Petitioner herein) and accordingly, petitioner was arrested in the present case.

Learned counsel appearing on behalf of the petitioner contends that no recovery of any nature whatsoever has been effected from the petitioner and he has been nominated as an accused on the disclosure statement of co-accused from whom recovery of intoxicating substance was effected, thus offence under Section 29 of the NDPS Act, was added. He contends that no recovery pursuant to the disclosure statement made by co-accused has been effected from the petitioner, hence, the said evidence becomes inadmissible in evidence against the petitioner. It is contended that the petitioner is in custody since 30.05.2025. He contends that investigation in the case is complete and charge sheet has been filed on 09.07.2025, however, only 02 witnesses out of 12 witnesses cited by the prosecution have been examined so far and hence, conclusion of trial shall take long.

State counsel, on the other hand, contends that the petitioner has criminal antecedents and there are three other FIRs against him out of which

in two FIRs he was nominated under Section 29 of the NDPS Act, and in third case 150 grams of intoxicating substance was recovered from the petitioner which was of intermediate quantity. He, however, does not dispute the period of custody already undergone by the petitioner and the stage of the trial and the fact that petitioner has been nominated as an accused on the disclosure statement of co-accused.

Having heard the counsel for the respective parties and without commenting anything on the merits of the present case, taking into consideration the nature of allegations against the petitioner, the period of custody already undergone by him and the stage of the trial where only 02 witnesses out of 12 witnesses cited by the prosecution have been examined so far, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

March 23, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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