



CRM-M-69099-2025

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

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**CRM-M-69099-2025
Decided on :16.01.2026**

Ahmad Khan

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rakesh Chahar, Advocate for the petitioner.

Mr. Amish Sharma, Asst. A.G., Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.0370 dated 23.10.2025, under Sections 21-B and 29 of NDPS Act, registered at Police Station Dabua, District Faridabad.

2. As per the allegations, 5.85 grams of smack/heroin were reportedly recovered from the right pocket of the lower worn by main accused-Suraj. Following the arrest of the main accused and registration of the FIR, a disclosure statement was recorded in which petitioner was implicated as an accused being the supplier of the said contraband.

Learned counsel for the petitioner submits that, except for the disclosure statement, no other evidence has been collected or is



available with the prosecution. It is settled law that a disclosure statement of a co-accused is weak evidence, and a conviction cannot be based solely on such evidence.

As per the custody certificate, petitioner is reportedly involved in other cases; however, all such cases pertain to the Excise Act, and there is no prior involvement in any NDPS case in his earlier record. Counsel further submits that charges are yet to be framed and petitioner is in custody since 29.10.2025.

In view of the above, petitioner prays for the grant of bail.

3. Learned State counsel opposes the prayer for bail, submitting that petitioner has been implicated as the supplier of contraband in a case involving the recovery of 5.85 grams of smack/heroin from the main accused. Learned State counsel further submits that the offences alleged are serious in nature and punishable under stringent provisions of the NDPS Act, and petitioner's release at this stage may hamper the investigation and affect the examination of witnesses, thus, prays for dismissal of the present petition.

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

5. Considering the submissions of learned counsel for the petitioner, the fact that except for the disclosure statement of the co-accused no other evidence has been collected, and that petitioner, aged 38 years, is in custody since 29.10.2025, it appears that continued



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detention is not warranted at this stage. The offences alleged are serious, but the petitioner has no prior involvement in any NDPS case, and charges are yet to be framed. In view of these facts and circumstances, this Court finds merit in the prayer of the petitioner.

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/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. 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.

7. 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.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

16.01.2026

Rashmi

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No