



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

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**CRM-M-70629-2025
Date of decision: 17.03.2026**

JUNAID KHAN

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Ms. Bhumika Khatri, Advocate for
Mr. Davneet Sangwan, Advocate
for the petitioner.

Mr. Paras Talwar, Senior DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 106 dated 02.03.2022, registered under Section(s) 21-C and 29 of the NDPS Act (Section 29 of the NDPS Act added during investigation) at Police Station Sadar Yamunanagar, District Yamuna Nagar.

2. That the brief facts of the case are that as per prosecution, during further investigation, on 07.03.2022, accused Fariyad Khan was joined in investigation of the present case and arrested. Section 29 of the NDPS Act was then added. During interrogation, accused Fariyad Khan suffered disclosure statement, pursuant to which, he got recovered

Rs.4,500/- as part of the amount earned by him by sale of smack. Inventory of currency notes of Rs.4,500/- was prepared and same were taken into police possession. After completion of usual formalities of investigation, challan qua accused Amir Khan @ Uli and Fariyad Khan was submitted in the Court on 19.04.2022. On 15.09.2022, accused Hasib Khan was joined in investigation, in view of disclosure statements suffered by accused Amir Khan @ Uli and Fariyad Khan and was arrested in the present case. During interrogation, accused Hasib Khan suffered disclosure statement naming Junaid, Hassan and Junaid Khan as source of the contraband. After completion of usual formalities of investigation, supplementary challan qua accused Hasib Khan was submitted in the Court on 08.02.2023. Production warrants of accused Junaid Khan, who was confined in custody in some other case, were got issued for 02.08.2025. He was joined in investigation with the permission of Court and arrested in the present case.

3. Learned Counsel appearing on behalf of the petitioner contends that 310 grams of Heroin had been recovered from co-accused Aamir Khan @ Uli who, in his disclosure, named one Fariyad Khan who subsequently nominated one Haseeb Khan and thereafter, in the disclosure statement of Haseeb Khan, the name of the petitioner surfaced. She contends that no recovery, consequent upon arrest of the petitioner, has been effected while the main accused i.e. Aamir Khan @ Uli has already been granted concession of regular bail after taking into consideration the period of custody undergone by him which was invariably longer. She contends that the petitioner had been taken in custody after obtaining production warrants in a case that had been registered against him in Himachal Pradesh i.e. FIR No. 93 of 2025 under Section 21 of the NDPS Act at Police Station Ponta

Sahib. Apart from the same, there is no other case. She contends that the petitioner is in custody since 09.09.2025 and that investigation in the aforesaid FIR is already complete and only 02 witnesses out of 24 witnesses have been examined so far.

4. Learned State Counsel contends that the petitioner was nominated as the supplier of the contraband, which was recovered from his brother Aamir Khan @ Uli and that instead of nominating him as the supplier, Aamir Khan @ Uli named Fariyad Khan and thereafter, Hasib Khan. It is further contended that involvement of the petitioner stands fully established on account of the FIR being registered against him in Himachal Pradesh, where recovery of Heroin had been effected from him. He, however, does not dispute that Fariyad Khan as well as Junaid Khan, the other accused who were nominated on the basis of disclosure have already been granted concession of regular bail.

5. I have heard learned Counsel appearing on behalf of the respective parties and have gone through the documents appended alongwith the present petition.

6. Taking into consideration the nature of allegations levelled against the petitioner, he having been nominated on the third disclosure of Hasib Khan, the similarly placed co-accused having already been granted concession of bail and the stage of the trial as well as the young age, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. 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.
9. 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 17, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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