



CRM-M-71640-2025

-1-

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

116

CRM-M-71640-2025

Date of Decision: 07.04.2026

VIJAY SONI @ VIJAY

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Ms. Navjot Kaur, Advocate for the petitioner.
Mr. P.S.Pandher, Asst. A.G.Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No. 220 dated 18.06.2020 under Sections 21(b), 61, 85 of NDPS Act (Section 27A NDPS Act added later on) registered at Police Station Sadar Fatehabad, District Fatehabad.

2. The case of the prosecution is that 21 grams of Heroin was recovered from one Bablu and Baldev Kumar @ Babbu. During interrogation, they suffered a disclosure statement naming the present petitioner as the supplier of the said contraband.

3. Learned counsel for the petitioner submits that the petitioner was not named in the FIR and has been implicated solely on the basis of the disclosure statement made by a co-accused, which is inadmissible in evidence.

It is further contended that no recovery has been effected from the possession

**CRM-M-71640-2025****-2-**

of the petitioner. She further submits that the petitioner was earlier granted bail; however, he could not appear before the trial Court as he got involved in another FIR under Sections 21 and 29 of the NDPS Act, leading to cancellation of his bail. The petitioner is in custody since 04.06.2025

4. Learned State counsel has filed the status report by way of an affidavit and custody certificate of the petitioner in the Court today and the same are taken on record. He has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there is an active role of the petitioner in the illicit trafficking of narcotic substance. On instructions from SI Amit Kumar, he further submits that out of 14 cited prosecution witnesses only 02 have been examined so far.

5. I have heard the submissions made by the parties and gone through the record.

6. After hearing the rival contentions and considering that apart from the disclosure statement, there is no material available on record to connect the petitioner with the alleged offence; the petitioner is in custody for about 9 months, is not involved in any other case, out of 14 cited prosecution witnesses, only 02 have been examined so far; no recovery has been effected from the petitioner and that the trial is likely to take considerable time to conclude, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on



CRM-M-71640-2025

-3-

regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.
9. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.
10. Pending application(s), if any, shall also stand disposed of.

07.04.2026
renu

(H.S.GREWAL)
JUDGE

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