IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-33077-2025
Decided on : 02.09.2025

SATISH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Varshit Garg, Advocate,
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

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SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Satish, aged about 31 years	47	16.01.2025	29, 18, 27(a) of NDPS Act and Section 238(b) of BNS, 2023	City Karnal	Karnal

2. Learned counsel for the petitioner contends that, as per the allegations in the FIR, police party received secret information that the main accused, Dhiru Kumar Yadav and Sunaina Devi, were in possession of opium behind the bus stand in Karnal. Acting upon this information, a raid was conducted, leading to recovery of 3 kilograms of opium from

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the said accused persons. It is solely on the basis of their disclosure statements that name of the petitioner has surfaced, with the allegation that the recovered contraband was actually meant to be supplied to him.

Counsel for the petitioner submits that had there been any substance to this allegation, petitioner would have been apprehended at the time of the alleged supply of the contraband, which was already in possession of the co-accused. Therefore, alleged involvement of the petitioner is purely speculative and based on the inadmissible disclosure statement of co-accused, without any independent corroboration. It is further submitted that the petitioner has been in custody since 18.01.2025, and no recovery has been effected from him during interrogation.

3. Moreover, petitioner is a young individual of 31 years of age and is not involved in any other case under the NDPS Act. Investigation in the present case has already been completed and final report has been submitted. However, charges are yet to be framed, and the case is now fixed for proceedings on 24.09.2025. Thus, counsel prays for grant of regular bail to the petitioner in the present case.

4. On the other hand, learned State counsel is unable to dispute any of the factual assertion as stated by counsel for the petitioner, today before this Court. However, he prays for dismissal of the present petition.

5. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

6. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, this

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Court deems it appropriate to grant the concession of bail to the petitioner.

7. Consequently, prayer made in the 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.

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

9. 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.

10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

02.09.2025
Lavisha

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

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