



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

CRM-M-29077-2025
Date of decision: 02.07.2025

Uvais Ansari

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vaibhav Mittal, Advocate
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.546 dated 18.12.2024 under Sections 22C/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Pinjore, District Panchkula.

2. Learned counsel for the petitioner submits that the false implication of the petitioner in the present case is evident from the fact that he has no previous criminal antecedents much less ever been involved in a case under the NDPS Act. It has been contended by the learned counsel for the petitioner that a secret information was received qua the involvement of co-accused Sukhchain Singh following which he was intercepted by the police on 18.12.2024; on being intercepted, a recovery of 800 tablets of Lomotil (commercial quantity) was allegedly effected. Learned counsel has asserted that no such information qua the



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involvement of the petitioner in drug trafficking was ever received; the petitioner is not alleged to have been accompanying co-accused Sukhchain Singh at the relevant time nor was he stated to be anywhere in close vicinity of co-accused Sukhchain Singh. After being arrested, co-accused Sukhchain Singh suffered his first disclosure statement wherein he nominated co-accused Jassa Singh, who on being arrested nominated Sameer as being the supplier of the recovered contraband. After co-accused Sameer was arrested, he then nominated the petitioner as being the supplier of the recovered contraband. Learned counsel for the petitioner submits that no recovery of any contraband much less Lomotil was effected from the petitioner which further lends credence to his false implication in the present case. It has, therefore, been prayed that in the aforementioned facts and circumstances moreso when the disclosure statement on the basis of which the petitioner has been nominated as an accused, has weak evidentiary value coupled with the fact that the investigation is already complete with challan having been presented, further incarceration of the petitioner would serve no useful purpose as charges are yet to be framed.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner nor has he disputed that the petitioner's name surfaced only in the third disclosure statement made by the co-accused.

4. On being pointedly asked, learned State counsel, on instructions, has also not controverted that the petitioner has clean



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antecedents and after he was arrested on 03.04.2025, no recovery of any contraband was made from him.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 03.04.2025. The possibility of the trial concluding in the near future does not arise as the next date fixed before the learned Trial Court is 04.07.2025 when charges are likely to be framed. As per instructions received by the learned State counsel as many as 21 prosecution witnesses have been cited. Therefore, in the circumstance, the trial is likely to be prolonged. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

02.07.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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