



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

284

**CRM-M-6652-2025 (O&M)
Date of Decision:- 07.05.2025**

CHANDRA SINGH @ CHANDER SINGH

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sandeep Kotla, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
101	03.05.2023	20 and 29 NDPS Act	Sanoli, Panipat, Haryana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that consequent upon the arrest of the petitioner, no recovery has been effected from him. He submits that the petitioner is not having any criminal case registered against him and he is in custody since 23.12.2024. He further submits that after the completion of investigation, challan has



been presented in Court and the conclusion of trial will take sufficient long time. Thus, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition on the ground that the petitioner had supplied the contraband to co-accused Bharat Bhushan and Gautam @ Gulu, who were apprehended at the spot and commercial quantity of charas was effected from them and the name of the petitioner surfaced in their disclosure statement.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution co-accused Bharat Bhushan and Gautam @ Gullu were carrying the contraband in the bag carried by them on the motorcycle. They were intercepted and apprehended on the spot and from their possession recovery of 1 kg 20 grams of charas was effected. During their interrogation, they suffered their disclosure statement nominating the present petition as the supplier of the contraband. Accordingly, the petitioner was arrested on 23.12.2024, however, consequent upon his arrest, no recovery of any contraband had been effected from him. Admittedly, the petitioner is not found to be involved in any other criminal case and after completion of investigation, challan has already been presented in Court wherein prosecution has cited 15 witnesses and till date none of the witnesses has been examined. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be



served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, in future, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

07.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No