

CRM-M-11464-2025

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2025:PHHC:046584



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

CRM-M-11464-2025

Date of Decision:04.04.2025

JAGSIR SINGH ALIAS JAGGU ALIAS LAMBU

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.144 dated 16.05.2024 registered for the offences punishable under Sections 21(b) of NDPS Act (Section 27-A of NDPS Act added later on) at Police Station Bhuna, District Fatehabad.

2. The allegations in nutshell are that police recovered 10 grams of heroin from possession of co-accused Surender @ Sonu on 16.05.2024. Thereafter, co-accused Saurabh was arrested by the police on the basis of disclosure statement suffered by co-accused Surender @ Sonu but no contraband was recovered from Saurabh. Subsequently, the



present petitioner was nominated as an accused on the basis of disclosure statement suffered by co-accused Saurabh and was arrested on 30.09.2024. However, no contraband was recovered at the instance of the present petitioner. That on completion of investigation, police has present challan and charges are also framed.

3. It is brought to the notice of this Court that co-accused Surender @ Sonu and Saurabh are already enlarged on bail vide orders Annexure P-2 and Annexure P-3.

4. In view of the fact that recovery effected from co-accused comes under non-commercial quantity and is not covered by the stringent provisions of Section 37 of NDPS Act and further the veracity and admissibility of the disclosure statement, if any, suffered by co-accused against the present petitioner will be tested during trial and furthermore it will take time for the trial to conclude, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.

5. In light of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

04.04.2025

Priyanka Thakur

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No