

2025:PHHC:098534



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

CRM-M-21923-2025 (O&M)

Reserved on : 22.08.2025

Pronounced on : 29.08.2025

Mayank Sharma @ Suraj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Pankaj Bali, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The instant one is the third petition that has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case bearing FIR No. 141 dated 05.03.2024, registered under Sections 21C, 22C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sector 32-33, Karnal. The previous petitions were dismissed as withdrawn.

2. Brief facts of the case relevant for the disposal of the present petition are that on 05.03.2024, a secret information was received to the effect that co-accused Sanchit Narang was indulged in illegal business of sale of intoxicating drugs. Believing the information to be reliable, a raid was conducted at his house on the same day. The Drug Inspector was also called at the spot. On search, recovery of 2145 tablets of Alprazolam, 1280 tablets of Lomotil and 808 capsules of Tramadol was effected from the house of the said co-accused. The same was taken into police possession. Upon interrogation, the above named

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co-accused suffered disclosure statement admitting his involvement in the sale of intoxicating drugs and also disclosed that he had supplied contraband to one Surya Dev, resident of Shamli, U.P., 15 days back. Co-accused Surya Dev was arrested on 25.06.2024 and upon interrogation, he disclosed that drugs recovered from co-accused Sanchit Narang was supplied by him after taking the same from the present petitioner. On the basis of the same, the petitioner was also nominated as accused in this case and was arrested on 27.06.2025. After completion of necessary investigation and usual formalities, *challan* was presented before the Court and presently, the petitioner is facing trial for commission of aforementioned offences.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. The petitioner was neither named in the FIR nor was found at the spot. No subsequent recovery has been effected from him. He has been nominated in this case based on the disclosure statement suffered by co-accused Surya Dev, who himself was named by co-accused Sanchit Narang. It is well settled law that disclosure statement suffered by a co-accused is not admissible in evidence against the other accused. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial would take a long time. The petitioner is in custody since 27.06.2025. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Status report and custody certificate of the petitioner have been filed by the respondent-State. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. It is, thus, argued that the petition is liable

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to be dismissed.

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

6. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by co-accused Surya Dev, who himself was nominated in this case based on the disclosure statement made by main accused Sanchit Narang, from whom the aforesaid recovery was effected. The allegation against the petitioner is that he had supplied the contraband to co-accused Surya Dev, who in turn had supplied the same to co-accused Sanchit Narang. However, subsequent to arrest of the petitioner, no recovery is shown to have been effected from him. The petitioner is in custody since 27.06.2024. Investigation has since been completed and *challan* has been presented. Conclusion of trial would obviously take time. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

29.08.2025

Waseem Ansari

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No