CNR No: PHHC011031352026
2026:PHHC:128053



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

**225** **CRM-M-34598-2026**
**Date of decision : 10.09.2026**

**NASEEM @ CHOTA**

... PETITIONER

Versus

**STATE OF HARYANA**

.. RESPONDENT

**CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Vikram Singh Narwal, Advocate for the petitioner.

Mr. Vishal Kashyap, Senior DAG, Haryana.

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**H.S. Grewal, J.(Oral)**

1. The present petition has been filed under Section 483 of BNSS, 2023 (erstwhile Section 439 Cr.P.C.) seeking regular bail to the petitioner in case FIR No.183 dated 24.12.2025, registered under Sections 15(C) & 29 of the NDPS Act, registered at Police Station Partap Nagar, District Yamuna Nagar.

2. The case of the prosecution is that the police apprehended co-accused Sanjay Khan from whom 1 quintal 46.230 kg. Doda chura post (poppy husk) was allegedly recovered. During the course of investigation, co-accused Sanjay Khan suffered a disclosure statement implicating the petitioner along with other co-accused(s).

3. Learned counsel for the petitioner submits that the petitioner was not named in the FIR and was arraigned as an accused only on the basis of disclosure statement of co-accused Sanjay Khan. Besides the disclosure

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statement(s), there is no incriminating evidence against the petitioner which would connect him with the alleged offence and no recovery has been effected from him. It is further submitted that the disclosure statements allegedly suffered by the co-accused(s) during police custody are not admissible in evidence unless duly corroborated by independent material. He further submits that the petitioner is in custody for the last more than 07 months and 27 days and similarly situated co-accused Rahim Khan has already been granted bail by the Coordinate Bench of this Court in CRM-M-28127-2026 on 22.05.2026 (Annexure P-2). He, therefore, prays for release of the petitioner on regular bail as the trial qua the petitioner is likely to take a long time as none of the prosecution witnesses has been examined so far.

4. Notice of motion.

5. On the asking of the Court, Mr. Vishal Kashyap, Senior DAG, Haryana, accepts notice on behalf of the respondent/State and vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 07 months and 27 days. He, upon instructions, submits that none of the prosecution witnesses has been examined so far and there are call detail records indicating that the petitioner was in regular contract with the main accused Sanjay Khan.

6. I have heard the learned counsel for the parties and perused the record.

7. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more

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than 07 months and 27 days, he was not named in the FIR, no recovery has been effected from him, co-accused has already been granted bail and that the trial is likely to take a long time to conclude as none of the prosecution witnesses has been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

**(H.S.GREWAL)**
**JUDGE**

**10.09.2026**
**Sonia**

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

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