



CRM-M-26727-2026

1

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

230

**CRM-M-26727-2026
Decided on :15.05.2026**

Manthan Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kushager Goyal, Advocate for the petitioner.

Mr. Amish Sharma, Asst. A.G., Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS, seeking regular bail in case FIR No. 106 dated 02.04.2026, under Section 21(b) of NDPS Act (Section 29 of NDPS Act was added later on), registered at Police Station City Mandi Dabwali, District Sirsa Haryana.

2. As per the case of the prosecution, on 02.04.2026, co-accused namely Shaganpreet Singh @ Sagar and Manatpreet Singh @ Manat were arrested for allegedly being in conscious and joint possession of 10 grams and 480 milligrams of heroin without any permit or licence.

Subsequent to the arrest of the aforesaid accused, petitioner, namely Manthan Kumar, was arrested on 03.04.2026 solely on the basis of the disclosure statement made by the co-accused, alleging that he had supplied the recovered heroin.

**CRM-M-26727-2026****2**

3. Learned counsel for the petitioner contends that the name of the petitioner has been implicated in the present case solely on the basis of the disclosure statement of the co-accused, which is inadmissible in evidence under the settled provisions of law. It is further submitted that the petitioner is in custody since 03.04.2026.

Learned counsel further submits that main accused, namely Shaganpreet Singh @ Sagar, has already been granted the concession of regular bail by the learned Trial Court vide order dated 11.05.2026. In support of his submissions, learned counsel has produced a copy of the said order in Court today. Same is taken on record and Registry is directed to tag the same at the appropriate place in the paper-book. On the ground of parity, it is argued that since the main accused has already been granted bail, petitioner is also entitled to the concession of regular bail in the present case. Moreover, counsel for the petitioner submits that petitioner has clean antecedents as there is no other case pending against the petitioner, thus, prays for grant of regular bail.

4. Per contra, learned State counsel, while confirming the custody period of the petitioner and the fact that no other case is pending against him, opposes the prayer for bail by submitting that the petitioner has been specifically named during the course of investigation as the supplier of the recovered contraband. It is contended that the allegations against the petitioner are serious in nature and pertain to offences under the NDPS Act. It is further submitted that the concession of bail granted

**CRM-M-26727-2026****3**

to the co-accused does not automatically entitle the petitioner to claim parity, particularly in view of his distinct role as the alleged supplier of the contraband. Accordingly, prayer has been made for dismissal of the present petition.

5. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto.

6. Considering the fact that petitioner is in custody since 03.04.2026, that his implication in the present case is stated to be based solely upon the disclosure statement of the co-accused, that the main accused, namely Shaganpreet Singh @ Sagar, has already been granted the concession of regular bail by the learned Trial Court, and further that the petitioner has clean antecedents and is not involved in any other criminal case, this Court deems it appropriate to extend the benefit of regular bail to the petitioner as well.

Accordingly, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an

**CRM-M-26727-2026****4**

independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. However, it is clarified that in the event petitioner is found, in future, to be directly involved in any similar criminal activity or in causing any assault, such fact shall immediately be brought to the notice of the concerned Trial Court, and the concession of bail granted by this Court shall be liable to be cancelled.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

15.05.2026***Rashmi***

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*