



CRM-M-58129-2025

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

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**CRM-M-58129-2025
Decided on : 21.04.2026**

Nasir Khan @ Naasir Khan

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Sukhjit Singh, Advocate
for the petitioner(s).

Mr. Amish Sharma, AAG Haryana

SANJAY VASHISTH, J. (Oral)

1. The instant second petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Nasir Khan @ Naasir Khan, aged 48 years	0063	05.03.2025	15(c) of NDPS Act, (Section 29 of NDPS Act added later on)	Parao, Ambala Cantt.	Ambala

2. First bail petition of the petitioner was disposed of as withdrawn vide order dated 10.09.2025 passed in CRM-M-28734-2025 (Annexure P-3).

3. As per case of the prosecution, on 05.03.2025, from a Scorpio car bearing registration No. HR-08AF-7710, which was driven by accused-Satinder Singh, poppy husk weighing 53.200 Kg was recovered. Subsequent to the arrest of

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accused-Satinder Singh, name of the petitioner was also added in the case as supplier of the contraband.

4. Learned counsel for the petitioner submits that except of disclosure statement there is no other substantive evidence collected during investigation. It is also pointed out that at the time of arrest of the petitioner or during investigation, nothing material could be collected, therefore, no case is made out against the petitioner. Counsel further submits that the petitioner has been in custody for the last more than a period of 01 year and 23 days and out of total 23 prosecution witnesses till date none has been examined. On these grounds, the petitioner prays for the grant of regular bail.

3. On the other hand, learned State counsel opposes the prayer for bail, submitting that the petitioner is involved in a serious offence. Learned State counsel also expresses concern that if the petitioner is released on bail, he may try to influence witnesses or interfere with the trial. Even so, the State prays for dismissal of the present petition.

4. Heard learned counsel for the parties and perused the material available on record. It is observed that the petitioner's alleged involvement arises solely from a disclosure statement, which is not admissible as substantive evidence in the eyes of law. Further, considering that the petitioner has been in custody for more than a period of 01 year and 23 days, this Court is of the view that the matter warrants consideration for grant of regular bail.

This Court is also of the view that petitioner deserves an opportunity to rehabilitate and reintegrate into society. Thus, without making any comments or observations on the quality/standard of the evidence collected by the prosecution, primarily considering the long incarceration and non-examination of the material

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witnesses, to the view point of this Court, personal liberty of the petitioner cannot be curtailed for an indefinite period.

5. Considering the aspects and circumstances, prayer made in the 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Any of the discussion done and recorded here above, 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 independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

7. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

8. Petition stands disposed of.

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

April 21, 2026*reena***(SANJAY VASHISTH)
JUDGE**

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*