



CRM-M-33940-2026

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

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Date of Decision: 02.09.2026

UDAYBIR

... PETITIONER

VERSUS

STATE OF HARYANA

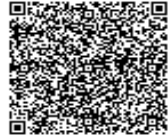
... RESPONDENT

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

Present:- Mr. Aazam Khan, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 B.N.S.S (439 Cr.P.C.), for grant of regular bail to the petitioner pending trial in case FIR No. 140 dated 09.05.2024 under Sections 20-B(ii) (c) NDPS Act registered at Police Station Mundkati, District Palwal, Haryana.
2. The case of the prosecution is that a total recovery of 30 kg 500 gram of ganja patti was effected from the conscious possession of the petitioner and his co-accused Ranjit and Nepal.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has been in custody since 09.05.2024. It is further contended that the recovery in the case is a false and planted one, and nothing was effected from the petitioner. Learned counsel further submits that no specific role has been attributed to the petitioner either in purchasing or selling the alleged ganja recovered in the present case. It is



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also submitted that the petitioner is not involved in the business of such substances. It is further submitted that the co-accused have been granted concession of regular bail by this Court in CRM-M-27952-2026 dated 27.07.2026, CRM-M- 43531-2026 dated 12.08.2026.

4. Notice of motion.

5. Mr. Vishal Kashyap, Sr. DAG, Haryana accepts notice on behalf of the respondent-State. He has opposed the prayer for grant of regular bail on the ground that allegations against the petitioner are serious in nature. He has filed the custody certificate of the petitioner in Court today, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 02 years, 03 months and 23 days and is not involved in any other case. It is further submitted that out of the 22 prosecution witnesses cited, only five witnesses have been examined and 17 witnesses are yet to be examined. It is further submitted that the issue of the petitioner's conscious possession is yet to be determined, as the contraband was allegedly recovered from the dikki of the vehicle.

6. I have heard the submissions made by the parties and gone through the record.

7. After hearing the rival contentions and considering the fact that the petitioner is in custody for the last 02 years, 03 months and 23 days and is not involved in any other case; co-accused have already been granted concession of regular bail coupled with the fact that the trial is likely to take considerable time, this Court is of the view that no useful purpose would be



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served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail during the pendency of the trial.

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/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

02.09.2026
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(H.S.GREWAL)
JUDGE

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