



CRM-M-35715-2026

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

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CRM-M-35715-2026
Date of decision : 10.07.2026

SANDEEP

... PETITIONER

Versus

STATE OF HARYANA

.. RESPONDENT

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

Present:- Ms. Gagandeep Kaur, Advocate for the petitioner.

Mr. Vijay Kumar, AAG, Haryana.

H.S. Grewal, J.(Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 439 Cr.P.C.) seeking regular bail to the petitioner in case FIR No.320 dated 15.09.2024, under Section 20 (b)(ii)(C) of the NDPS Act read with Section 29 of the NDPS Act and Section 238(a) of BNS, 2023, registered at Police Station Urban Estate, District Rohtak.

2. The case of the prosecution is that a secret informer reported to the police that Renu w/o Ashok and Sandeep (present petitioner) were indulging in the sale of ganja and were standing behind the BPL flats carrying the contraband in bags while waiting for a vehicle. Acting upon the said information, the police party reached the spot and apprehended co-accused Renu along with two bags, from which 40.750 kgs. of ganja was allegedly



recovered. It is also alleged that during enquiry, co-accused Renu disclosed that the present petitioner had gone to arrange a vehicle.

3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in the present case and no recovery whatsoever has been effected from him. It is submitted that the petitioner was neither apprehended from the spot nor was he found in conscious possession of the alleged contraband, as the entire recovery was effected from co-accused Renu. It is further submitted that except the statement of co-accused Renu, there is no independent or incriminating material available on record to connect the petitioner with the alleged offence. Learned counsel further submits that the mandatory provisions of the NDPS Act have not been complied with. She also submits that the petitioner is in custody for the last more than 01 year, 03 months and 02 days. Although the petitioner is involved in other cases under the NDPS Act but in the present case, there is nothing corroborative evidence against him. She, therefore, prays for release of the petitioner on regular bail as the trial qua the petitioner is likely to take a long time as only 05 out of 21 cited prosecution witnesses have been examined so far.

4. Notice of motion.

5. On the asking of the Court, Mr. Vijay Kumar, AAG, Haryana, accepts notice on behalf of the respondent 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 01 year, 03 months and 02 days. He, upon instructions, submits that only 05 out of 21 cited prosecution witnesses have been examined so far.



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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 than 01 year, 03 months and 02 days, no recovery has been effected from him and that the trial is likely to take a long time to conclude as only 05 out of 21 cited prosecution witnesses have 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.

July 10, 2026
Sonia

(H.S.GREWAL)
JUDGE

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