



CRM-M No. 4568-2025

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

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CRM-M No. 4568-2025 (O&M)
Date of Decision: 31.01.2025

Jitender @ Jeetu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Pankaj Mohan Kansal, Advocate for the petitioner.

Mr. Ashok Sehrawat, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No.358 dated 15.10.2024, registered under Section 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act') (offence under Section 29 of NDPS Act added later on), at Police Station Sarai Khawaja, District Faridabad.

2. Above FIR was registered on the basis of secret information with the allegations that 10.25 grams of *Heroin/Smack* (non-commercial) was recovered from the petitioner.

3. Contends that petitioner is in custody since 15.10.2024; recovery alleged against the petitioner is non-commercial in nature; final report under Section 173 Cr.P.C has already been presented on 14.05.2024; charges are yet to be framed; thus, conclusion of trial will take sufficient long time.



prayer while submitting that allegations against the petitioner are serious in nature; hence, he does not deserve the concession of bail pending trial.

- 5. Heard both sides and perused the paper-book.
- 6. Concededly, petitioner is in custody since 15.10.2024; recovery of 10.25 grams of *Heroin/Smack* alleged against the petitioner is non-commercial in nature; final report under Section 173 Cr.P.C has already been presented on 14.05.2024; charges are yet to be framed. As the conclusion of trial shall take sufficient long time; therefore, further incarceration of the petitioner would not serve any purpose.
- 7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
- 8. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
- 9. The above observations be not construed as an expression of opinion on the merits of the case.
- 10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

31.01.2025 (MAHABIR SINGH SINDHU)
Rajeev (rvs) JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No