



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

210

**CRM-M-7452-2025
Decided on : 14.02.2025**

Vinod

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. V.B. Godara, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner, who has been booked for having committed the offences punishable under Sections 17 and 29 of NDPS Act, in FIR No. 37, dated 15.02.2024, registered at Police Station Beri, District Jhajjar, during the pendency of trial.

2. Learned counsel for the petitioner submits that the alleged recovery in the present case is of 1 kg 135 grams of opium, which infact is much less than the commercial quantity. He also submits that petitioner is in custody since 15.02.2024 and out of total 15 prosecution witnesses, only 3 prosecution witnesses have been examined, thus, trial is running at a low pace.



CRM-M-7452-2025

- 2 -

3. On the other hand, learned State counsel argues that apart the present case, petitioner was involved in a case under the provisions of NDPS Act in the year 2001, wherein petitioner stands convicted. After completion of the sentence period he has repeated the crime again, but, counsel does not dispute the other factual aspects addressed by the petitioner.

4. In response to the contention of learned State counsel, Mr. V.B. Godara, Advocate submits that present case is completely false because earlier the petitioner was convicted in the year 2001 and his sentence period was completed somewhere in the year 2012-13 and it is highly improbable i.e. after 12-13 years, he would again indulge himself in such a heinous crime, therefore, petitioner has been dragged in the present case falsely and even no independent person from the society was joined at the time of recovery.

5. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

6. Consequently, 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.

7. The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

8. It is further made clear that if, in future, petitioner is directly



CRM-M-7452-2025

- 3 -

found indulged in similar kind of activities, this order shall be deemed to be cancelled.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 14, 2025
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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*