



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

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CRM-M No.9776 of 2025 (O&M)

Date of decision : 08.05.2025

Rakesh

... Petitioner

Versus

State of Haryana

.. Respondent

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

Present:- Mr. Surinder Gandhi, Advocate
for the petitioner.

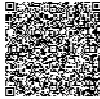
Mr. Parveen Kumar Aggarwal, DAG, Haryana.

H.S. Grewal, J. (Oral)

This is a petition for regular bail filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in case bearing FIR No.273 dated 05.11.2020 under Sections 20, 27A of NDPS Act, 1985 registered at Police Station Bass, District Hansi.

2. The case of the prosecution is that on a secret information, on 05.11.2020, Kavita and Rajinder were stated to be involved in smuggling of narcotics and they were apprehended with 24 KGs of *ganja*. On the basis of disclosure statement of co-accused Rajender while in custody, the name of the present petitioner has surfaced. Apart from the disclosure statement, there is no other evidence against the petitioner and no contraband has been recovered from the present petitioner.

3. Learned counsel for the petitioner contends that the petitioner is behind the bar since 20.12.2024 and as of date, has undergone approximately 04 months and 17 days of incarceration. He further contends that out of 21 prosecution witnesses cited by the prosecution, only 02 have been examined so far. Moreover, co-accused Kavita and Rajender have already been granted concession



of regular bail vide order dated 12.01.2024 (Annexure P-3) and 03.05.2024 (Annexure P-4), respectively by this Court.

4. Learned counsel for the State vehemently opposes the grant of concession of regular bail by way of filing custody certificate dated 07.05.2025. However, he does not refute the fact that out of 21 prosecution witnesses, only 02 prosecution witnesses have been examined so far.

6. I have heard learned counsel for the parties and have gone through the material placed on record.

7. Keeping in view the facts and circumstances of the present case, and the fact that the petitioner is in custody for a period of 04 months and 17 days and only 02 out of total 21 prosecution witnesses have been examined so far and since, trial is not likely to conclude in near future and continuous detention of the petitioner pending trial, would not serve the ends of justice, I deem it a fit case to grant the concession of regular bail to the petitioner.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is granted concession of regular bail in the present case, on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. It is however, made clear that in case during his bail, the petitioner indulges in any offence, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

08th May, 2025

Sonia Puri

**(H.S. GREWAL)
JUDGE**

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