



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-19278-2025 (O&M)
Decided on : 25.08.2025

Sumit Kumar . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Garima Sharma, Advocate
for the petitioner(s).

Mr. PK Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sumit Kumar	224	31.07.2024	15/27-A/29/61/85 of NDPS Act, 1985	Sadar Pehowa	Kurukshetra

2. Learned counsel for the petitioner contends that allegations of the prosecution is that there is recovery of 54 kg. of ‘poppy-husk’ (marginally higher than the non-commercial quantity) from a Honda Amaze car bearing registration No.HR29-AF-5005. Further submits that petitioner is inside jail since 31.07.2024 and after completion of investigation, final report/challan has already been submitted before the trial Court. There are total 26 prosecution witnesses, till date none has been examined by the prosecution. Thus, trial is at stand still.

Further contends that apart the instant case, petitioner is accused



in one more case, i.e., FIR No. 10, dated 04.01.2024, under Sections 18-61-85 of NDPS Act, 1985, registered at P.S. Sadar Thanesar, Kurukshetra. However, in that case, he is already on bail. Thus, counsel for the petitioner prays for the grant of regular bail.

3. On advance notice and in response to the arguments addressed by the petitioner's counsel, learned State counsel submits that there is a substantial recovery in the present case, i.e., commercial in nature. The State counsel further argues that the petitioner cannot be viewed as less culpable, as he is alleged to be the one, who is operating the drug racket, thereby endangering the future of the youth in society. However, he is unable to dispute all other facts narrated here-above by the petitioner's counsel.

4. Heard.

5. In view of the foregoing facts and observations, this Court is of the considered opinion that the personal liberty of the petitioner cannot be curtailed, as the petitioner is inside jail since 31.07.2024, and out of total 26 prosecution witnesses, till date none has been examined by the prosecution.

Additionally, Court has itself noticed that almost similarly situated co-accused – Deepak Kumar, has also been granted bail by the Coordinate Bench of this Court, vide order dated 01.03.2025, passed in CRM-M-58393-2024, titled as, "Deepak Kumar v. State of Haryana" (Annexure P-3).

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. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or



indirectly.

8. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 25, 2025
J.Ram

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