



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

235

CRM-M-19523 of 2025 (O&M)

Date of decision : 30.04.2025

Hardeep

... Petitioner

Versus

State of Haryana

.. Respondent

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

Present:- Mr. M.R. Sharma, Advocate
for the petitioner.

Ms. Ankita Ahuja, AAG, 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.497 dated 13.08.2024 under Section 15C of Narcotic Drugs and Psychotropic Substances Act, 1985 (sections 61(2), 340(1), 336(3), 338, 238 of Bharatiya Nyaya Sanhita (BNS), 2023 added later on) registered at Police Station Shivaji Colony, District Rohtak.

2. The case of the prosecution is that on 13.08.2024, one Saurabh was arrested with 289 kilo 840 grams of opium doda which was recovered from the vehicle. It is further the case of prosecution that the present petitioner ran away from the spot and could not be apprehended. It is further stated by the prosecution that co-accused Saurabh named the present petitioner after a period of about 09 days i.e. on 22.08.2024.

3. Learned counsel for the petitioner contends that the petitioner was arrested on disclosure statement of his co-accused namely Saurabh and that too after a delay of period of 09 days. He further contends that no recovery has been effected from the petitioner so far. He further contends that the petitioner is in custody since 31.08.2024 and has undergone custody period of 07 months



20 days. He further contends that charges in the present case have been framed, however no witness has been examined so far. He further contends that the petitioner is not involved in any other case.

4. Notice of motion.

5. Mr. Amandeep Singh Samra, AAG, Punjab, accepts notice on behalf of the respondent-State. He vehemently opposes the grant of concession of regular bail by way of filing of custody certificate dated 28.04.2025. However, he does not refute the fact that no prosecution has 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 more than 07 months and no prosecution witness has been examined so far. Therefore, the conclusion of the trial is likely to take long time, 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 ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned. The pending applications, if any, also stand disposed of.

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.

30th April, 2025

Sonia Puri

(H.S. GREWAL)
JUDGE

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