



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

217

CRM-M-34349 of 2024 (O&amp;M)

Date of decision : 05.05.2025

Gaggar Singh @ Gaggi

... Petitioner

Versus

State of Haryana

.. Respondent

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

Present:- Mr. Sarun Hans, Advocate  
for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

\*\*\*

**H.S. Grewal, J. (Oral)****CRM-9940-2025**

The present application has been filed seeking preponement of hearing of present case from 25.04.2025 to an earlier date.

Since the date has already passed by, as such, the present application is rendered infructuous and is disposed of, accordingly.

**Main case**

This is a petition for regular bail filed under Section 439 of Cr.P.C., 1973 in case bearing FIR No.186 dated 12.08.2021 under Section 22-C of NDPS Act, 1985 (Charges framed under Section 21-C of NDPS Act) registered at Police Station Sadar Ratia, District Fatehabad.

2. The case of the prosecution is that the petitioner was apprehended alongwith co-accused having in possession of 11 vials of Codeine which falls in the category of commercial quantity. The petitioner is involved in 02 other cases as well out of which one is under the NDPS Act, 1985 and also, he is convicted and sentenced to undergo rigorous imprisonment for a period of 10 years, in another case under the NDPS Act, 1985.



3. Learned counsel for the petitioner contends that in the present case, the petitioner is behind bars since 15.08.2021 and has undergone 03 year, 08 months and 18 days of custody (including remission). He further contends that out of 19 prosecution witnesses cited by the prosecution, only 04 Prosecution Witnesses have been examined so far.

4. Learned counsel for the State vehemently opposes the grant of concession of regular bail by way of filing custody certificate dated 02.05.2025 and submits that the petitioner is involved in two more cases under the NDPS Act. However, he does not refute the fact that out of 19 witnesses, only 04 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 03 years, 08 months and 18 days (including remission) and only four witnesses out of total 19 Prosecution Witnesses have been examined so far and therefore, the conclusion of the trial is likely to take a long time, I deem it a fit case to grant the concession of regular bail to the petitioner in the present case.

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. The pending application(s), 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.

**05<sup>th</sup> May, 2025**

*Sonia Puri*

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

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