



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

232

CRM-M-33357-2025
Date of decision: 12.08.2025

DINESHPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Parveen Kaushik, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, 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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
DINESH	43	04.03.2025	17 and 20 of NDPS Act	Dujana	Jhajjar

2. Learned counsel for the petitioner contends that the recovered contraband is much less to the maximum of non-commercial quantity and petitioner is inside jail for the last more than 05 months. Investigation in the case has already been completed and process of recording of statement is yet to start, though charges have been framed.

3. He further contends that petitioner is aged about 30 years and except



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of the present case, he is never found involved in any other similar kind of activity and proving of the allegations in the present case would take considerable time. Thus, prays for grant of regular bail.

3. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 10.08.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

As per custody certificate, petitioner has already undergone 05 months and 03 days period inside jail.

The learned State Counsel further points out that the petitioner is involved in seven other criminal cases, out of which he has been granted bail in six cases, and in another case, i.e., FIR No. 24/2020 dated 16.04.2020, under Section 8 of the Official Secrets Act, registered at Police Station Women, Hisar, he has been acquitted by the concerned Court. Thus, it is found that present one is the first case under the NDPS Act.

4. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition.

6. Taking note of the fact that the recovered contraband is much less to the maximum of non-commercial quantity and petitioner is the first time offender under the NDPS Act and he has already undergone incarceration period of 05 months and 03 days inside jail and conclusion of trial will likely to take considerable time, I deem it appropriate to grant the concession of bail to the petitioner.



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. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.
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.

12.08.2025
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(SANJAY VASHISTH)
JUDGE

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