



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

231

CRM-M-36204 of 2025
Date of decision: 16.07.2025

Rohit Gavari

...Petitioner

Versus

State of Haryana

...Respondent

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

Present : Mr. Navkiran Singh, Advocate, for the petitioner.

Mr. Parveen Aggarwal, Addl. A. G. Haryana.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking regular bail under Section 483 of BNSS of 2023 in case FIR No.452 dated 27.06.2023, under Sections 22(c), 29 of NDPS Act, registered at Police Station Indri, District Karnal.
2. The case of the prosecution is that petitioner was apprehended and found in possession of 130 vials of Chlorpheniramine Maleate and Codeine Phosphate (each vial was 100 ml.).
3. Learned counsel for the petitioner submits that out of 12 witnesses, 3 has been examined and it is stated that petitioner is not involved in any other case under NDPS Act and this fact is not disputed by the State. Moreover, petitioner has relied upon the two judgments of the Hon'ble Supreme Court in the case of *Nandlal Mondal @ Abhay Mondal Vs. State of West Bengal passed in SLP (Crl.) No(s).12788/2023 and Mithun S. K. and Others Vs. The State of West Bengal passed in Criminal Appeal NO.1200 /2024*, in which bail has been granted after a period of 1 ½



years wherein the accused were found in possession of codeine phosphate in commercial quantity. The petitioner is in custody for the last 2 years and 17 days. Learned counsel further submits that trial is likely to take a long time for its conclusion and continuous detention of the petitioner would not serve the ends of justice, therefore, the petitioner be released on regular bail.

4. Notice of motion.

5. Mr. Parveen Aggarwal, Addl. A. G. Haryana, accepts notice on behalf of the respondent-State. Learned State counsel vehemently opposed the prayer for granting concession of bail to the petitioner. As per custody certificate, the petitioner is in custody for the last 2 years and 17 days.

6. I have heard the learned counsel for the parties and perused the record.

7. In view of the above submission of learned counsel for the parties and considering the custody period undergone by the petitioner; judgments of the Hon'ble Supreme Court in the cases of *Nandlal Mondal (supra)* and *Mithun S. K.(supra)* and the fact that trial is likely to take a long time, the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is hereby ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds



to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

(H.S. GREWAL)
JUDGE

16.07.2025
anil

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No