



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

202

CRM-M-35659-2025

Date of decision: 02.08.2025

SHUAIB KHAN

... Petitioner

Versus

STATE OF HARYANA

.. Respondent

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

Present:- Mr. Amarsh Dudeja, Advocate
for the petitioner.

H.S. Grewal, J. (Oral)

1. The present petition has been filed under Section 483 Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking regular bail in FIR No.506 dated 15.10.2022 under Sections 323, 279, 336, 285 AND 120-B of IPC and 22C, 29, 61, 85 of NDPS Act, 1985 registered at Police Station Chandimandir, District Panchkula (Haryana).

2. The case of the prosecution is that 84 injections of Bupine, 920 tablets of Lomotil containing Diphenoxylate weighing 57.04 grams and 86 injections of AVIL were recovered from one Sandeep and Rahul. Thereafter on their disclosure statements, one Pankaj Kumar and Nakul Kumar were apprehended and further on their disclosure statements, one Sanjeev Kumar was named and arrested but later on, he died in custody, however, before dying, he had named Rashid who further nominated the present petitioner for being involved in recovery of aforesaid contraband from Sandeep and Rahul. Apart



from this disclosure statement of Rashid, there is no other evidence on record to implicate the petitioner who at the time of disclosure was in custody in a case registered at Uttrakhand and was confined in Haridwar.

3. Learned counsel for the petitioner contends that the petitioner is in custody for more than 03 months and out of 22 prosecution witnesses, only 02 have been examined so far.

4. Notice of motion.

5. Mr. Aditya Pal Singla, AAG, Haryana, accepts notice on behalf of the respondent-State.

6. Learned counsel for the State on instructions from ASI-Murari Lal vehemently opposes the grant of concession of regular bail and does not refute the fact that out of 22 prosecution witnesses, only 02 have been examined so far.

7. I have heard learned counsel for the parties and have gone through the material placed on record.

8. Keeping in view the facts and circumstances of the present case, and the fact that the custody period undergone by the petitioner is more than 03 months and also the fact that out of 22 prosecution witnesses, only 02 have been examined so far, further incarceration of the petitioner would not serve the ends of justice and also conclusion of the trial is likely to take a long time. Therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

9. 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/ Chief Judicial Magistrate concerned. The pending applications, if any, also stand disposed of.

10. 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.

02nd August, 2025		(H.S. GREWAL)
<i>Sonia Puri</i>		JUDGE
Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No