

2025:PHHC:125013



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

239

CRM-M-39367-2025 (O&M)
Date of decision: 11.09.2025

Jinda Hasan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Rohit Sharma, Advocate for
Mr. Sanpreet Sandhu, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 48 dated 18.03.2025, registered under Section 21-B of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Farakpur, District Yamuna Nagar.

2. Brief facts of the case relevant for the disposal of the present petition are that on 18.03.2025, on the basis of a secret information, the petitioner was apprehended by a police party and recovery of 09 grams of heroin was effected from him. After completion of necessary investigation and usual formalities, challan under Section 193 of BNSS was presented in the Court and presently, the petitioner is facing trial for commission of aforementioned offence.

2025:PHHC:125013



3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, a false recovery of the contraband was planted on him. Even otherwise, the quantity of the same does not fall under commercial quantity, being 9 grams. The petitioner is in judicial custody since 18.03.2025. Investigation stands completed and challan has been filed. Conclusion of trial would take considerable time as no prosecution witness has been examined so far. Pendency of other cases cannot be made a ground for denying him the benefit of bail. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner as well as his criminal antecedents, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner is in custody since 18.03.2025. The quantity of the contraband allegedly recovered from him does not fall under commercial quantity. Investigation stands completed. Challan has been filed. Conclusion of trial would obviously take time as no witness has been examined so far. Although the petitioner is involved in some other cases but that alone cannot be made a ground for rejecting his prayer for bail. Keeping in view the aforesaid facts, I am of the considered opinion that no useful purpose would

2025:PHHC:125013



be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

11.09.2025

Wassem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No