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

CRM-M- 43265-2025

Date of Decision: 25.08.2025

AJAY ALIAS AJJI

... PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

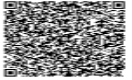
CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Mohit, Advocate and
Mr. Pavitra, Advocate
for the petitioner.

Mr. Satbir Singh Goripuria, D.A.G., Haryana.

SUBHAS MEHLA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 233 dated 16.06.2025, under Sections 21(b) and 27 A (added later on) of the NDPS Act, 1985 registered at Police Station Fatehabad, District Fatehabad.
2. Learned counsel for the petitioner contended that the petitioners have been falsely implicated in the present case. The alleged contraband is 10.34 grams which is slightly above the quantity of consumption category. He further submits that the bail application was denied by the Special Court only on the ground that the investigation was pending at that time but now the same has been completed. He also submitted that the petitioner has been



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in custody since 16.06.2025. The prolonged incarceration without trial violates the petitioner's Fundamental Right under Article 21 of the Constitution of India. The petitioner is a young man of 25 years of age and prays for concession of regular bail. The petitioner undertakes to abide by all conditions imposed by this Hon'ble Court and assures that he will not tamper with evidence, influence witnesses, or abscond during trial.

3. Learned State counsel, appearing on advance notice, vehemently opposes the prayer for grant of regular bail to the petitioner and submits that in case the petitioner is granted the concession of regular bail, he will misuse the same. He also submits that there are two other cases pending against him. He has filed the custody certificate, which is taken on record.

4. Heard.

5. In view of the submission of learned counsel for the petitioner, keeping in view the facts and circumstances of the present case and the fact that the quantity of the contraband is marginally above the small quantity and the investigation stands completed and the co-accused namely Vijay Singh has also been granted concession of bail and the petitioner is in custody for over 02 months, I deem it a fit case to grant the concession of regular bail to the petitioner.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

7. However, it is made clear that in case the petitioner is found to



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be indulged in any such activity, the prosecution will be at liberty to move an application for cancellation of his bail.

25.08.2025
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(SUBHAS MEHLA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>