

2025:PHHC:109355



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

Sr. No.217

CRM-M-43959-2025 (O&M)

Date of Decision: 20.08.2025

SANJEEV KUMAR

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Pushp Jain, Advocate for the petitioner.

Mr. Sunny Namdev, AAG, Haryana.

SUBHAS MEHLA, J. (Oral)

By way of the present petition filed under Section 483 BNSS 2023, petitioner prays for grant of regular bail in case FIR No.108 dated 27.03.2025 under Sections 18-C, 61 of Narcotic Drugs and Psychotropic Substances Act 1985 registered at Police Station Bilaspur, District Yamuna Nagar (Annexure P-1).

2. Learned counsel for the petitioner contends that the petitioner is in custody since 27.03.2025 and the other co-accused have already been granted the benefit of regular bail. Learned counsel for the petitioner further contends that no other criminal case is pending against the petitioner. The quantity of contraband i.e. 2033 grams of opium, recovered from the petitioner is non-commercial.

3. Learned State counsel has vehemently opposed the bail application and prayed to dismiss the same.

4. Heard.

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5. Keeping in view the fact that petitioner is in custody since 27.03.2025 and the co-accused has already been granted the benefit of regular bail and the petitioner cannot be kept in prison just as a measure of punishment, as bail is a rule and jail is an exception.

6. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

20.08.2025

mahima

**(SUBHAS MEHLA)
JUDGE**

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