



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

CRM-M-44424-2025

Date of Decision:-21.08.2025

Himanshu @ Himanshu Narang.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. N.C. Kinra, Advocate with
Mr. Harsh Kinra, Advocate &
Mr. N.C. Kinra, Advocate for the Petitioner.

Mr. T.P. Singh, Sr. DAG Haryana..

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 is for the grant of regular bail to the petitioner in case FIR No.113 dated 10.06.2025 under Sections 17 & 29 of NDPS Act, 1985 registered at Police Station Dujana, District Jhajjar.

2. The brief facts of the case are that Himanshu @ Himanshu Narang (petitioner) came to be apprehended with 422 grams of Opium.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Taking the allegations to be correct the recovery from the petitioner is of 422 grams of Opium which is less than the commercial quantity. As the petitioner is in custody since 10.06.2025 but none of the 16 prosecution witnesses have been examined so far, the trial of the present case is not likely to be



concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned State counsel on the other hand contends that thought non commercial quantity of contraband has been recovery from the petitioner the offences of this kind are on the rise and, therefore, he is not entitled to the concession of bail. He however, concedes that the petitioner is in custody since 10.06.2025 and none of the 16 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. Taking the prosecution case to be correct 422 grams of Opium have been recovered from the petitioner which is a non commercial quantity. Therefore, the bar under Section 37 of the NDPS Act would not be applicable to the case of the petitioner. Further, he is stated to be in custody since 10.06.2025 but none of the 16 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. He is otherwise a first time offender. In this situation, the further incarceration of the petitioner is not required.

10. Thus without commenting on the merits of the case, the present petitions are allowed and the petitioner-**Himanshu @ Himanshu Narang** son of Sh. Suresh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

11. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

12. In addition, the petitioner (or anyone on his behalf) shall



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prepare an FDR in the sum of Rs.25,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

13. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 21, 2025
Vinay

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