



CRM-M-54513-2025(O&M)

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

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CRM-M-54513-2025(O&M)
Decided on :13.11.2025

Pardeep

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ajit Sihag, Advocate for the petitioner.

Mr. P.K. Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the *Bharatiya Nagarik Suraksha Sanhita* (BNSS) seeking the grant of regular bail in connection with FIR No. 0107 dated 22.05.2025, registered under Section 21(b) of the *Narcotic Drugs and Psychotropic Substances Act, 1985* (NDPS Act) at Police Station Industrial Area, Bhiwani, District Bhiwani.

2. Learned counsel for the petitioner contends that, as per the case of the prosecution, on 22.05.2025, three accused persons were sitting on a scooty bearing registration No. CH-01BN-9296, from the dicky of which 8.69 grams of “smack” wrapped in polythene was recovered. Apart from petitioner-Pardeep, two other accused, namely Sandeep and Ajay, were arrested from the spot. During the course of



investigation, they made a disclosure statement stating that the recovered contraband had been purchased from one Nigerian national named Happy, near Maharishi Balmiki Mandir, Peeragadhi (Najafgarh).

3. Learned counsel for the petitioner further submits that after completion of the investigation, challan has already been presented. However, out of a total of 27 prosecution witnesses, only 04 have been examined so far. It is argued that the quantity of contraband recovered is marginally more than the small quantity, and the moot question as to whether the petitioner was in conscious possession of the same, which was found wrapped in polythene inside the dicky of the scooty, can only be determined at the final stage of trial, which is likely to take considerable time for conclusion.

4. Counsel further submits that co-accused Ajay and Sandeep have already been granted the concession of regular bail by this Court vide orders dated 08.10.2025 and 07.11.2025 passed in CRM-M-50394-2025 and CRM-M-61213-2025, respectively. Hence, it is argued that petitioner also deserves the similar concession of bail on the principle of parity.

5. On the other hand, learned State counsel, while opposing the prayer for grant of bail, does not dispute the factual position as set out by learned counsel for the petitioner, including the fact that co-accused, who are similarly situated, have already been granted the concession of regular bail by this Court. Learned State counsel further contends that the

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trial is still at an initial stage and the petitioner's specific role in the alleged offence is yet to be adjudicated.

6. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto, as well as the two bail orders passed by this Court in respect of co-accused Ajay and Sandeep.

7. Having considered the submissions made by learned counsel for the parties and upon perusal of the material placed on record, this Court observes that the petitioner, aged about 37 years, appears to have been involved in a criminal case for the first time. The recovery in the present case is of an intermediate quantity, and the question of the petitioner's conscious possession of the contraband shall be a matter of evidence to be adjudicated during trial. The trial, however, is likely to take considerable time for its conclusion, and continued incarceration of the petitioner at this stage would serve no fruitful purpose.

8. Keeping in view the principle of parity, as the similarly situated co-accused have already been granted the concession of regular bail, and also considering the petitioner's right to reform and reintegrate into mainstream society, this Court is of the view that the petitioner deserves an opportunity to rehabilitate himself and resume a normal course of life.

Accordingly, without commenting on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on

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regular bail, subject to his furnishing bail bonds and surety to the satisfaction of the learned trial Court concerned.

Consequently, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

10. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

13.11.2025*Rashmi*

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*