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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-56095-2024
Date of decision: 16.07.2025

SANJAY PANDIT

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ajay Singh, Advocate and
Ms. Mehak Chadha, Advocate
for the petitioner.

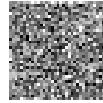
Mr. Ashok S. Chaudhary, Addl. A.G. Haryana.

SANJAY VASHISTH, J. (ORAL)

1. The instant petition has been filed under Section 439 of Cr.P.C., for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sanjay Pandit	180	14.06.2024	20(b)(ii)(c) & 29 of NDPS Act	Sector 65	Gurugram

2. Learned counsel for the petitioner contends that on the basis of secret information a Naka was set up at Tigra Curve (Gurugram) and the vehicle in question i.e. Ertiga bearing Registration No.UP-14-EY-9295 was

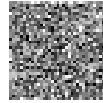


intercepted. On making search, 2 packets of Ganja, weighing 10 kg 200 grams and 10 kg 180 grams, respectively, making total weight of 20 kg 380 grams was recovered from the spot. Co-accused Rahul was arrested, and subsequently, another co-accused Shaswat Aggarwal, to whom vehicle belongs was involved in the case and he has already been released on bail by this Court, vide order 29.01.2025 passed in CRM-M-3216-2025.

3. As per allegations, the petitioner succeeded in fleeing from the spot at the time of intercepting the vehicle and was later on arrested in some other narcotics case i.e. FIR No.429 dated 21.06.2024 in Uttar Pradesh and from there, the petitioner was brought on production warrant on 05.08.2024 by involving him in the present case.

4. Learned counsel for the petitioner contends that in fact, there is no direct evidence against the petitioner and he has been falsely involved in the present case. Actual recovery even if is taken to be true, same is marginally above the maximum of the non commercial quantity, and the petitioner is already in custody since 05.08.2024 i.e. for about 11 months and 11 days in the present case. Except of the disclosure statement as disclosed by arrested accused on the spot namely Rahul, there is no other connecting evidence with the prosecution to prove the charge beyond doubt. Thus, learned counsel for the petitioner prays for grant of bail to the petitioner in the present case.

5. On the other hand, learned State counsel, though is not in a position to dispute the factual submission addressed by learned counsel for the petitioner, yet submits that petitioner is involved in a serious offence which is a malice against the society, and is also accused in 2 other NDPS



cases in the State of Uttar Pradesh. He further submits that if the petitioner is granted concession of bail, there is every likelihood of him being absconding from the trial, and can indulge in similar kind of activities in future. Regarding the stage of trial, learned State counsel informs that though, there are total 19 prosecution witnesses, but none has been examined, till date.

6. Taking note of all the circumstances, and the arguments addressed by both learned counsel for the parties and the fact that recovery in the present case is marginally above the non-commercial quantity, this Court does not deem it appropriate to keep the petitioner inside jail further, as his personal liberty cannot be curtailed for an indefinite period. Therefore, prayer made in the present petition is **allowed**.

7. 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

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, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
11. Petition stands disposed of.

16.07.2025
Ithlesh

(SANJAY VASHISTH)
JUDGE

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