



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

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CRM-M-64024-2025

Date of decision: 19th November, 2025

Deepak @ Kalia

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rakesh Kumat Lathwal, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 280 dated 11.09.2023 registered under Sections 22-C of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act') at Police Station IMT, Rohtak, District Rohtak, Haryana.

2. As per the allegations, on 11.09.2023, on the basis of secret information to the effect that the petitioner along with the co-accused were indulged in selling restricted medicines, a raiding party was formed which reached at the informed place and found the petitioner and two co-accused to be present there while carrying bags. On noticing the police vehicle, they tried to flee. Two of them i.e. the present petitioner and co-accused Rahul were apprehended. They disclosed the names of the other accused who had



fled from the spot. On conducting search, 185 bottles of WINCEREX-T syrup 100 ml each had been recovered from their bags which had been taken into custody. The petitioner and co-accused were formally arrested. Subsequently, the co-accused were also arrested. Investigation now stands completed. The petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 11.09.2025. The co-accused Bobby @ Bobby and Naveen @ Fachur have been extended benefit of bail. Trial is likely to take time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner and the fact that he is involved in another case, does not deserve to be released on bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner along with the co-accused is alleged to have been found in conscious possession of the commercial quantity of restricted medicines. He has been in custody since 11.09.2023. Mere involvement in other cases cannot be considered to be a ground for denying benefit of bail to him. Trial is likely to take time as only 05 prosecution witnesses out of 26 prosecution witnesses have been examined so far. Prolonged incarceration



militates against the most precious fundamental right guaranteed under Article 21 of the Constitution. While considering a plea for grant of bail, the factors to be kept in mind are as to whether, there is *prima facie* case, reasonable ground to believe that the accused has committed the offence, circumstances which are peculiar to the case, the nature and gravity of the accusations and at the same time, the period of incarceration is also relevant factor. Taking into consideration the above discussed facts, this Court is of the considered opinion that a case is made out for grant of release of the petitioner on bail. Therefore, keeping in view the aforementioned facts and circumstances and also the ratio of law as laid down in the aforecited authorities, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

[MANISHA BATRA]
JUDGE

19th November, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*