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

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CRM-M-71396-2025 (O&M)
Date of decision: 23.12.2025

Anil

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Arun Kumar, Advocate, for the petitioner
Mr. Amrik Narwal, DAG, Haryana

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.471 dated 14.12.2024, registered under Sections 20(b)(ii)(C) (Section 29 added later on) at Police Station Gohana Sadar, District Sonipat.

2. Learned counsel contends that the petitioner has been in custody for 1 year and 9 days. He alleges false implication in the case. The alleged recovery of non-commercial quantity of contraband, it being 3.377 kgs charas has been effected from the co-accused Naresh, who is in custody, while co-accused Sandeep and Abhishek, who are on disclosure statements, have been granted bail by this Court vide order dated 04.12.2025, Annexure P-4. No recovery was effected from the petitioner, who was allegedly standing at the spot. Charges have been framed on 29.07.2025, however out of 26 PWs, none has been examined. He is not involved in any other case under the NDPS Act.

3. The custody certificate dated 22.12.2025, filed by the learned State



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counsel is taken on record. As per the same, the petitioner is behind bars for 1 year and 9 days.

4. Learned State counsel opposes the bail on the ground that the petitioner was apprehended at the spot while standing near the co-accused Naresh, from whom recovery of contraband has been effected. However, he is unable to controvert the submissions with regard to stage of the trial, co-accused enlarged on bail and the petitioner not being involved in any other case under the NDPS Act.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for 1 year and 9 days; co-accused is on bail; not involved in any other case under the NDPS Act; charges have been framed on 29.07.2025; in all 26 prosecution witnesses, but none has been examined as of now, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of



which he is suspected of.

- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

23.12.2025

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