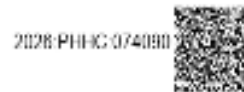


210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH



CRM-M-6770-2026 (O&M)

Date of Decision: 12.05.2026

SHIVGAN @ PALLI

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Navjit Singh, Advocate for the petitioner.

Dr. Malvika Singh, D.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No. 0120 dated 11.06.2025 registered under Sections 18-B and 20 of the NDPS Act, 1985 at Police Station Sadar Ambala, District Ambala.

2. The case of the prosecution is that on the basis of secret information, a police party laid a naka near the house of the petitioner. The petitioner, while coming on a scooty, allegedly fled away after noticing the police party, leaving behind the vehicle. Upon search of the scooty, a carry bag containing 2 kg 802 grams of opium and 252 grams of charas was recovered.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The scooty does not belong to the petitioner. No recovery has been effected from his conscious possession. He further submits that the petitioner is in custody for the last 07 months and 03 days. He, thus, prays for grant of bail to the petitioner.

4. Learned State counsel vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State

counsel has filed the custody certificate in Court, which is taken on record. She further submits that as per the custody certificate, the petitioner is in custody for the last 07 months and 03 days.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that though the petitioner was named in the secret information but his identity at the spot is doubtful; the petitioner is in custody for the last 07 months and 03 days; the conclusion of trial is likely to take time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *‘bail is rule and jail is exception’*.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

12.05.2026
Janki

(H.S.GREWAL)
JUDGE

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