



CRM-M-6588-2026 and
CRM-M-8875-2026

1

212 (2 cases)

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

CRM-M-6588-2026

Shailender Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CRM-M-8875-2026

Nitin Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

Decided on: 30.04.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sandeep Kumar, Advocate
for the petitioner(s) (in CRM-M-6588-2026)

Mr. Ravikant Berwal, Advocate for
Mr. Baljeet Beniwal, Advocate
for the petitioner(s) (in CRM-M-8875-2026)

Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

SANJAY VASHISTH, J. (ORAL)

1. By way of this common order, both the above-mentioned petitions are being decided together as they arise out of the same FIR and common allegations.
2. Both the above mentioned petitioners namely—(i) Shailender Kumar (in CRM-M-6588-2026) and (ii) Nitin Kumar (in CRM-M-8875-2026) have filed



instant bail petitions under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

FIR No.	Date	Section(s)	Police Station	District
579	23.09.2025	20-B and 29 of NDPS Act	Palla	Faridabad

3. As per case of the prosecution, there was a special information regarding involvement of accused-Shailender of his indulging in the illegal business of selling Ganja. On applying the barricades and apprehending of the accused-Shailender, while on motorcycle without any number, from his possession 3.502 Kg of Ganja was recovered.

Subsequent to the registration of the FIR and effecting recovery of Ganja from accused-Shailender, on the basis of his disclosure statement accused -Nitin Kumar (petitioner in CRM-M-8875-2026) was also involved in the case as supplier.

4. Learned counsel for the petitioner(s) argue that quantity of contraband recovered in the present case from accused-Shailender is non-commercial, which is much less to the threshold of 20 Kgs. Learned counsel representing Nitin Kumar submits that petitioner was neither named in the FIR nor his name was disclosed by any secret informer. He has been made accused only on the basis of disclosure statement of co-accused-Shailender Kumar. Even after arrest of the petitioner, no narcotic contraband was recovered from his possession.

Pointing out the aforementioned factual position, the commonly



argued submissions are that :-

- (i) Petitioners are involved as accused in non-commercial quantity of Ganja recovered from their possession which is 3.502 Kg.
- (ii) Already petitioners are inside jail since the time of their arrest i.e. 24.09.2025 (more than a period of 07 months)
- (iii) Investigation qua both the petitioners is complete and challan stands submitted, however, process of recording of statements of 17 prosecution witnesses is yet to start, though, against both the accused one more case is registered under the NDPS Act.
- (iv) In the present case, quantity recovered is much less to the maximum non-commercial, moreover from the possession of accused-Nitin Kumar, no narcotic contraband was recovered.

5. Considering the circumstances in totality and the aforementioned aspects, I do not find appropriate to continue the detention of the petitioners any longer inside jail.

6. Consequently, the present petitions are allowed. Petitioners namely, (i) Shailender Kumar (in CRM-M-6588-2026) and (ii) Nitin Kumar (in CRM-M-8875-2026) are ordered to be released on bail, subject to their 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.

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



**CRM-M-6588-2026 and
CRM-M-8875-2026**

4

8. Both the petitions stand disposed of.
9. A photocopy of this order be placed on the file of connected case.

30.04.2026

reena

**(SANJAY VASHISTH)
JUDGE**

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