



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-7200-2026
Decided on : 20.05.2026

YASHPAL YADAV

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 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
Yashpal Yadav, aged about 35 years	75	27.04.2025	20/29-61-85 of NDPS Act	Dhauj	Faridabad

2. As per the allegations in the FIR, a secret informer approached the police party and disclosed that petitioner was involved in the trafficking of narcotic substances. It was further informed that, on the said day, petitioner was likely to travel in a Swift taxi, bearing



registration No.HR-55-AH-6852, and, if a *naka*/check-post was laid, he could be apprehended red-handed while carrying *ganja* in his possession.

Acting upon the said information, a *naka* was established by the police, pursuant to which the petitioner was apprehended. During the search of the vehicle, a plastic bag containing *ganja* leaves was allegedly recovered from the trunk of the car. Upon weighing the same, recovered contraband was found to be 35.40 kilograms.

3. Record of the present petition reveals that quantity of *ganja* leaves allegedly recovered from the petitioner exceeds the prescribed threshold of commercial quantity by only 15.40 kilograms. On this account, petitioner has already undergone incarceration for a period of one year and twenty-three days. Petitioner, aged about 35 years, is also stated to be involved in another criminal case, i.e. FIR No. 321/2021 registered at Police Station V. Madugula, District Vishakhapatnam, Andhra Pradesh. However, it has been specifically pleaded in the present petition that petitioner has not been convicted in the said case and the principle of “presumption of innocence until proven guilty” continues to remain a cornerstone of criminal jurisprudence.

4. Petitioner is in judicial custody since 27.04.2025. Investigation in the present case stands concluded and *challan* was presented on 04.06.2025. Out of total 16 prosecution witnesses, only 01 witness has been examined, till date. Therefore, conclusion of the trial is likely to take a considerable period of time. It has, thus, been contended that custodial interrogation of the petitioner is no longer required and his



continued incarceration would serve no useful purpose to the prosecution. Thus, petitioner has prayed for grant of regular bail in the present case.

5. *Per contra*, learned State counsel, produces the custody certificate dated 19.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year and 23 days period inside jail.

6. Learned State counsel is unable to dispute any of the factual assertions recorded here above, including the total period of incarceration undergone by the petitioner and the present stage of the trial. However, he opposes the present petition and prayed for its dismissal.

7. This Court has perused the record made available before it.

8. The quantity of *ganja* leaves allegedly recovered from the petitioner exceeds the prescribed threshold of commercial quantity by only 15.40 kilograms. Petitioner has already remained in custody for a period of one year and twenty-three days. Moreover, conclusion of the trial is likely to take considerable time, as, out of total 16 prosecution witnesses, only 01 witness has been examined, till date.

9. In view of the totality of the circumstances, nature of the allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

Consequently, prayer made in the present petition is **allowed**.

Petitioner is ordered to be released on bail, subject to his furnishing

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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.

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

11. Any of the discussion done and recorded here above, 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.

12. 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.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

20.05.2026
Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**