



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

221

CRM-M-12384-2026 (O&M)
Date of decision: 18th May, 2026

Manish Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

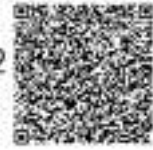
CRM-M-9923-2026

Allowed as prayed for.

Main case

Prayer in this petition has been made for grant of regular bail in case arising out of FIR No. 22 dated 24.01.2025 registered under Sections 121(1), 132, 122, 324(4) and 109 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 15-C of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act') at Police Station Ding, District Sirsa, on the allegations that on 24.01.2025, a secret information was received that the accused Vikas Kumar and Kishori Lal, who were involved in the business of sale of poppy husk were carrying huge quantity of the contraband in a car and

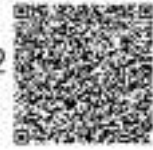
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were going from the Fatehabad (Haryana) area towards Punjab and that they could be apprehended. Believing the secret information to be true, a raiding party was formed which laid a barricade. When the concerned vehicle came from Fatehabad side, signal was given to the driver to stop the same but by trying to hit the police officials with the car, the occupants thereof managed to flee and could not be apprehended. Recovery of 75 kg and 230 grams of *opium* was effected from the boot of the vehicle. A photocopy of the identity card of accused Kishori Lal was found lying in the vehicle which was taken into possession. Accused Kishori Lal was joined into the investigation in pursuance of an order granting anticipatory bail and suffered a disclosure statement admitting his involvement in the crime. He also produced the original Registration Certificate (RC) of the recovered car. On the basis of his disclosure statement, the present petitioner and co-accused Vikas were nominated as additional accused. The petitioner was arrested on 09.04.2025. The previous petition filed by him had been dismissed by this Court vide order dated 19.01.2026.

2. Learned counsel for the petitioner submits that the accused Kishori Lal on whose disclosure statement the petitioner himself had been nominated as an accused, has been extended benefit of anticipatory bail. Even accused Vikas Kumar whose case is on similar footing has been extended the same benefit. The case of petitioner deserves to be treated at parity. Each day spent by him in custody has given him a fresh cause to seek release on bail. It

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is further submitted that no recovery has been effected from the petitioner. No useful purpose would be served by detaining him in custody anymore. His antecedents are clean. His prolonged incarceration amounts to a sufficient change in the circumstances. It is, thus, argued that the petition deserves to be allowed.

3. Status report and custody certificate have been filed by respondent-State. It is argued by him that the present petition is not maintainable as the previous petition filed by the petitioner, was dismissed by passing a detailed order and there has been no substantial or drastic change in circumstances thereafter. It is further argued that the allegations against the petitioner are serious in nature as he was escorting the vehicle from which recovery of contraband had been effected. There is evidence of bank transactions and exchange of calls with the co-accused that indicates his involvement in the offence. Therefore, it is stressed that the petition does not deserve to be allowed.

4. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

5. The petitioner along with co-accused Kishori Lal and Vikas Kumar, is alleged to have been involved in the trade of sale and purchase of poppy husk. Both the above named accused have since been granted anticipatory bail. The petitioner has remained in custody for a period of more than 01 year and 01 month. The trial is likely to take considerable time to

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conclude. Taking into consideration the principle of parity, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

6. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

7. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

18th May, 2026
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |