



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-13161-2026 (O&M)

Date of decision: 05.05.2026

Neeraj Bhatnagar

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Keshav Pratap Singh, Advocate;
Mr. Rajat Singh, Advocate;
Ms. Meghna Mehra, Advocate for the petitioner(s).

Mr. Paras Talwar, Sr. DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

CRM-10533-2026

Application is allowed as prayed for subject to all just exceptions. Annexures P-1 to P-4 are taken on record.

Registry is directed to tag the same at an appropriate place with page marking.

Main case:

1. This second petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.358 dated 17.11.2024, registered under Section(s) 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Naraingarh, District Ambala.
2. Learned counsel appearing on behalf of the petitioner contends that on the basis of a secret information, the Police nabbed one Kaka Kumar

son of Suresh Singh and recovered 1680 intoxicant capsules. He submits that the petitioner, who is a licensed Chemist, has been nominated in the present case on the disclosure of said Kaka Kumar. He contends that the petitioner has been in custody since 21.06.2025 and has undergone an actual custody of nearly 11 months. He further submits that no prosecution witness out of 23 has been examined so far. It is contended that there would be arguable issues with respect to rigours of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 being applicable to the present case as no recovery of any nature whatsoever has been effected from him and his role as an accomplice has not been corroborated by any material. It is contended that the petitioner being a licensed chemist, is entitled to stock and sell Schedule –‘C’ Drugs and the recovered intoxicant capsules being in the said category, it is arguable that as to whether the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985 will be applicable against the petitioner or not.

3. Learned State counsel does not dispute the submissions advanced by the counsel for the petitioner pertaining to the nature of allegations against the petitioner, the period of custody undergone by him, however, he contends that the main accused has suffered a disclosure statement that he procured the intoxicant tablets from the petitioner herein. It is contended that in the said circumstances, it is improbable that the petitioner was not complicit of the offence.

4. Having heard the learned counsel for the parties and taking into consideration the facts and circumstances as noted above, including the nature of allegations levelled against the petitioner coupled with the arguable

issues with respect to the culpable liability of the petitioner, who is a licensed chemist under the provisions of the Drugs and Cosmetics Act, 1940 and the Rules framed thereunder, pertaining to schedule C drug as well as the stage of trial, and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

5. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

6. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

7. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

05.05.2026

Mangal Singh

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