



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

**CRM-17196-2026 in/and
CRM-M-14758-2026 (O & M)
Date of decision: 27.04.2026**

MOHAMMAD FIROZ

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Ashish Jhamb, Advocate and
Mr. Shrey Aggarwal, Advocate
for the petitioner.

Mr. Satbir Singh Goripuria, DAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

CRM-17196-2026

Heard.

For the reasons mentioned in the application, the same is allowed.

Main case is preponed from 14.05.2026 and is ordered to be taken
on board today itself.

CRM-17197-2026

Allowed as prayed for.

Marriage invitation card and the undertaking given by village
head are taken on record as Annexures P-3 and P-4 respectively, subject to all
just exceptions.

MAIN CASE

1. By way of the present petition filed under Section 483 of
Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner is seeking regular



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bail in case bearing FIR No.631 dated 23.11.2025 registered under Section 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (Sections 61 and 85 of NDPS Act added later on) at Police Station Sector 58, Faridabad.

2. Briefly stated, the police officials apprehended the petitioner for keeping 7.01 grams Smack/Heroin in his illegal possession. Hence, the FIR.

3. Learned counsel for the petitioner contended that the petitioner has been falsely involved in the present case; the contraband recovered from the petitioner falls under the category of intermediate quantity i.e. marginally above the small quantity; petitioner is in custody for the last about 05 months; petitioner is having clean and clear antecedents and is not involved in any other criminal activity, except the present one; investigation of the present case has already been completed; challan has been presented; the trial will take sufficient time to conclude; no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period. As such, learned counsel prayed for grant of regular bail to the petitioner.

4. Learned State counsel opposed the prayer made by the petitioner by submitting that the petitioner was apprehended at the spot along with the contraband, hence, he does not deserve the concession of bail and prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the present case and the contentions raised by learned counsel for the parties that the petitioner

is in custody for the last about 05 months; the contraband i.e. 7.01 grams of heroin recovered from the petitioner falls under the category of intermediate quantity; petitioner is having clean and clear antecedents and is not involved in any other criminal activity, except the present one; investigation of the present case has already been completed; challan has been presented; trial will take sufficient time to conclude; no fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

April 27, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |