

**CRM-M-18561-2026****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****218****CRM-M-18561-2026****Decided on :29.04.2026**

Ajay

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Anoop Kumar Kaushik, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

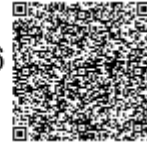
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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS (corresponding Section 439 Cr.P.C.) seeking regular bail in case FIR No.442 dated 02.08.2022, under Sections 21(B), 29 of NDPS Act and Sections 332, 353, 186 IPC, registered at Police Station Tosham, District Bhiwani, Haryana.

2. As per the prosecution's case, 5.35 grams of heroin were recovered from the possession of the main accused, namely Sumit, and the name of the petitioner surfaced in his disclosure statement as the supplier.

3. Learned counsel for the petitioner submits that at the first instance, considering the allegations in their entirety, petitioner was granted regular bail by the Court of the learned Additional Sessions Judge, Bhiwani, vide order dated 05.09.2023 (P-3). Counsel contends that thereafter, petitioner continuously appeared before the Court; however, on account of his unintentional absence, he was declared a proclaimed person on 29.04.2025.

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Subsequently, petitioner was re-arrested on 11.11.2025 and has been in custody since then. Therefore, counsel prays for grant of regular bail to the petitioner.

4. On the other hand, learned State counsel opposes the grant of regular bail to the petitioner, contending that petitioner is specifically named in the disclosure statement of the main accused as the supplier of contraband. It is further submitted that petitioner had earlier been granted the concession of bail but misused the same by absconding and was subsequently declared a proclaimed person on 29.04.2025. His re-arrest on 11.11.2025 clearly reflects his disregard for the process of law. In view of the seriousness of the allegations and the likelihood of the petitioner again evading trial if released on bail, it is prayed that the present petition be dismissed.

5. I have heard learned counsel for the parties and perused the paper-book.

6. Considering the submissions addressed and recorded hereinabove, and noticing the nature of the allegations as well as the fact that after being re-arrested on 11.11.2025, petitioner is in custody for a period of more than five months, this Court is of the considered view that petitioner can be afforded one more opportunity by releasing him on bail. Accordingly, no useful purpose would be served by keeping the petitioner in further custody.

Thus, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the

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learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty

Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, 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.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

29.04.2026***Rashmi****Whether speaking/reasoned:* Yes/No*Whether Reportable:* Yes/No