



CRM-M-19556-2026

-1-

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19556-2026

Date of Decision: 18.05.2026

Nishant Pal

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Shikar Goel, Advocate, for the petitioner
(through VC).

Ms. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.150, dated 05.06.2025, registered under Section 20 of the NDPS Act, 1985, at Police Station Sarai Khwaja, District Faridabad.

2. Succinctly, facts of the case are that on 05.06.2025, the police party while on patrolling received a secret information to the effect that Rachna carrying *ganjapatti* would be coming in a taxi from Delhi via Badarpur border through Mathura Road towards Sector-37, Faridabad. It was informed that in case of raid, she could be arrested alongwith the contraband. On finding the information reliable, *naka* was laid at the place disclosed and vehicle as disclosed in the secret information, was seen coming from the side of Badarpur Border Delhi, which was signalled to stop. In the vehicle, one woman and two men with two plastic sacks were found sitting. On asking, the woman disclosed her name to be Rachna and the men disclosed their names to be Nishant Pal (petitioner) and Dharmender. On suspicion, search of the vehicle was conducted. On



CRM-M-19556-2026

-2-

conducting search, 27 kilograms of *ganjapatti* was recovered from the bags lying in the vehicle. They failed to produce any licence regarding possession of the same and thus, on the registration of the FIR, they were arrested on the spot. Investigation commenced. Samples taken were sent to the FSL. The petitioner approached the Court of learned Additional Sessions Judge, Faridabad praying for grant of regular bail. However, after hearing both the sides, learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 19.03.2026. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. It is submitted that at 12.51 p.m. on the date of occurrence, tower location of co-accused Rachna and the petitioner is seen at the distance of approximately 11 kms, whereas, as per the case of the prosecution, both the petitioner and co-accused Rachna reached at the place of arrest at about 01:20 p.m. He contends that the petitioner was allegedly travelling in a car along with the co-accused and the contraband, whereas, in fact, he was travelling alone on his motorcycle, which was subsequently found parked at the Police Station and thus, false implication of the petitioner is writ large. He further contends that even other wise the alleged recovery effected in the present case is from a public place, however, no independent witness has been joined. He submits that the FIR was registered on the basis of secret information and thus, there is violation of mandatory provisions of Section 42 of the NDPS Act. He contends that the alleged recovery has been



CRM-M-19556-2026

-3-

effected in violation of Section 50 of the NDPS Act. He further contends that the petitioner is behind the bars from the last more than ten months, but till date no prosecution witness has been examined. To buttress his arguments, he submits that the petitioner has no criminal antecedents. He, thus, submits that in the overall facts and circumstances of the present case, the petitioners deserve to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. She submits that though the petitioner was not named in the secret information, however, he was arrested on the spot alongwith the co-accused and 27 kgs of *ganjapatti* was recovered from them. She submits that recovered contraband in the present case is a commercial quantity and thus, provisions of Section 37 of the NDPS Act are attracted in this case. She further contends that charges under Section 20 of NDPS Act has already been framed against the petitioner. On instructions, she has submitted that out of 25 prosecution witnesses, no witness has been examined so far. She has placed on record the custody certificate of the petitioner.

5. Heard learned counsel for the parties and perused the record with their able assistance. The recovery effected in the present case is of 27 kilograms of *ganjapatti*, which falls within the category of commercial quantity and, therefore, the rigors of Section 37 of the NDPS Act are clearly attracted. The petitioner was apprehended on the spot alongwith the co-accused and the contraband was recovered from the vehicle in which they were travelling. The contentions raised by learned counsel for the petitioner regarding false implication, alleged discrepancies in tower location,

recovery from a public place, non-joining of independent witnesses and alleged violation of Sections 42 and 50 of the NDPS Act are all matters which require appreciation of evidence and are to be examined during the course of trial. At this stage, this Court does not find any material to record that the petitioner is not guilty of the offence alleged or that he is not likely to commit any offence while on bail, as contemplated under Section 37 of the NDPS Act. Mere long custody, by itself, in the facts and circumstances of the present case, particularly when charges have already been framed and the offence involves commercial quantity, would not entitle the petitioner to the concession of regular bail. Accordingly, finding no merit in the present petition, the same is hereby dismissed.

6. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

18.05.2026		(RAJESH BHARDWAJ)
sharmila		JUDGE
	Whether Speaking/Reasoned	: Yes/No
	Whether Reportable	: Yes/No