

**CRM-M-20709-2026****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****214****CRM-M-20709-2026****Decided on :23.04.2026**

Surjeet Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. P. K. Jhanda, Sr. DAG, 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.31 dated 26.01.2026, under Section 21B of NDPS Act (Section 27-A of NDPS Act was added later on), registered at Police Station Bawani Khara, District Bhiwani.

2. Petitioner-Surjeet Singh, aged 25 years, has been apprehended on the spot along with his co-accused Avtar Singh. Upon conducting a search, currency amounting to Rs. 3,400/- along with 13.63 grams of heroin was recovered from the possession of the petitioner. After removing the polythene foil, the net weight of the contraband was found to be 13.30 grams. From the co-accused Avtar Singh, heroin weighing 10.30 grams was recovered, and after removing the polythene foil, the net weight was found to be 9.90 grams.

3. Learned counsel for the petitioner submits that petitioner is a young boy aged 25 years and is not involved in any other case under the provisions of the NDPS Act, except one case under the Excise Act, in which he has already been released on bail. Counsel further submits that the petitioner has been falsely implicated in the present case by the

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police. It is also submitted that the petitioner is in judicial custody for a period of last three months.

Counsel submits that the quantity recovered from the petitioner, though non-commercial in nature, is almost close to the intermediate quantity, being slightly more than twice of the small quantity.

In view of the above submissions, counsel prays for the grant of regular bail to the petitioner

4. On the other hand, it is not disputed by learned State counsel that the petitioner is a young boy and for the first time he is found involved in a case under the provisions of the NDPS Act. However, it is submitted that the petitioner was apprehended on the spot along with co-accused Avtar Singh, and contraband was recovered from their possession. The seriousness of offences under the NDPS Act and the societal impact thereof cannot be ignored merely on the ground of age or first-time involvement. Therefore, prays for dismissal of present petition.

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

6. Considering the fact that petitioner is a young boy and stated to be a first-time offender under the provisions of the NDPS Act, and keeping in view the nature of allegations as well as the quantity of contraband allegedly recovered, this Court is of the view that the petitioner can be better rehabilitated in the society rather than being kept in continued custody. Further, trial is likely to take considerable time to conclude. In these circumstances, this Court is of the view that no

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substantial purpose would be served by keeping the petitioner any longer inside jail.

Accordingly, 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 learned trial Court/ Chief Judicial Magistrate/Illaq 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. However, it is made clear that in case the petitioner is found involved in the future in any offence under the provisions of the NDPS Act, a strict view shall be taken while considering any plea for bail in future.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

23.04.2026***Rashmi***

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