

2026:PHHC:070401



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-24252-2026 (O&M)
Date of decision: 06.05.2026

TEK CHAND

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondents

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

Present: - Mr. Samay Singh Sandhawalia, Advocate and
Mr. Divyansh Som Garg, Advocate
for the petitioner.

Mr. Paras Talwar, Senior DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

CRM-18905-2026

Application is allowed as prayed for.

CRM-M-24252-2026

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 293 dated 07.10.2025, registered under Section(s) 20 b(ii)C of NDPS Act, 1985 and Section 61(1)A of Excise Act at Police Station Gadpuri, Palwal.

2. Learned Counsel appearing on behalf of the petitioner contends that the FIR in the present case has been registered on receipt of secret information alleging that the petitioner alongwith his son were involved in the illegal business of selling drugs and alcohol. He contends that as a matter of fact, the petitioner has Kiryana shop in his house and in the godown of the said shop, his son Naveen had kept the contraband of 1 kg 122 grams of charas and 16 boxes of country made liquor. On seeing the police party, his son ran away from the spot while the petitioner, present at shop and aged 72 years was apprehended by the Police. It is vehemently argued by the Counsel that even though it has been mentioned as 1.22 kg of opium in the petition, however, the same was typographical error and the recovery in question is that of Charas. Counsel contends that there would be arguable issues with respect to the recovery of contraband from the possession of the petitioner. The petitioner is 72 years of age, there has been no incident of his involvement in any other criminal case and therefore the scale tilts in favour of the petitioner. He further contends that the investigation in the case is already complete and no witness out of 17 witnesses cited by the prosecution have been examined so far. It is argued that as the petitioner was apprehended and taken in custody, his son who had run away from the spot, has committed suicide on account of the aforesaid guilt.

3. Counsel for the respondent-State does not dispute the same.

4. I have heard learned Counsel appearing on behalf of the respective parties and have gone through the documents appended alongwith the present petition.

5. Without commenting on the merits of the case and taking into consideration the arguable issues with respect to the conscious possession of

the contraband by the petitioner, the circumstances noticed above, the period of custody undergone by the petitioner, his clean antecedents, the stage of the trial as well as period of custody undergone by the petitioner, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

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

8. 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.

MAY 06, 2026

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No