

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC.075956



CRM-M-26271-2026 (O&M)
Date of Decision: 14.05.2026

SADIQ @ SADIQ MALIK ... PETITIONER
STATE OF HARYANA VERSUS ... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Abhijeet Chaudhary, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No. 291 dated 04.09.2025 under Sections 22 (c) and 29 of NDPS Act registered at Police Station Bilaspur, Yamuna Nagar.

2. The case of the prosecution is that an FIR was registered on the basis of secret information, pursuant to which co-accused Abdul was apprehended with 1,032 capsules of PROXIOHM-SPAS weighing 645 grams. During interrogation, another co-accused, Sunny, made a disclosure statement implicating the petitioner as being involved in the alleged offence.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. No recovery has been effected from the petitioner and apart from the disclosure statement, there is no other evidence to connect the petitioner with the recovery of the alleged contraband. He further submits that the petitioner is in custody for the last 04 months and 21 days. He, thus, prays for grant of bail to the petitioner.

4. Notice of motion.

5. Dr. Malvika Singh, D.A.G., Haryana accepts notice on behalf of the

State and vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. She further submits that as per the custody certificate, the petitioner is in custody for the last 04 months and 21 days.

6. I have heard the learned counsel for the parties and perused the record.

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that apart from the disclosure statement, there is no other evidence to connect the petitioner with the recovery of alleged contraband; the petitioner is in custody for the last 04 months and 21 days; the conclusion of trial is likely to take time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *‘bail is rule and jail is exception’*.

8. 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 bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

14.05.2026
Janki

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No

(H.S.GREWAL)
JUDGE