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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of decision : 20.05.2026

DUSHYANT

... PETITIONER

Versus

STATE OF HARYANA

.. RESPONDENT

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

Present:- Mr. Sushil Jain, Advocate for the petitioner.

Dr. Malvika Singh, DAG, Haryana.

H.S. Grewal, J.(Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 439 Cr.P.C.) seeking grant of regular bail to the petitioner in case FIR No.26 dated 02.02.2026, registered under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bahalgarh, District Sonipat.

2. The case of the prosecution is that the petitioner along with co-accused was apprehended by the police and the recovery of 22.60 grams of cocaine (intermediate quantity) was allegedly effected from them.

3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case and no recovery has been effected from him. It is further submitted that there is non-compliance of mandatory provisions of the NDPS Act as no independent witness was joined

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by the police party. He also submits that the petitioner is in custody for the last more than 03 months and 17 days and is not involved in any other case. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as none of the cited 13 prosecution witnesses has been examined so far.

4. Notice of motion.

5. On the asking of the Court, Dr. Malvika Singh, DAG, Haryana, accepts notice on behalf of the respondent/State and vehemently opposes the prayer for grant of regular bail to the petitioner. She has filed the custody certificate of the petitioner in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 03 months and 17 days. She, upon instructions, submits that none of the cited 13 prosecution witnesses has been examined so far.

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

7. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 03 months and 17 days, he is not involved in any other case, the alleged recovery of contraband is of intermediate quantity and that the trial is likely to take a long time to conclude as none of the cited 13 prosecution witnesses has been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.



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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 learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

May 20, 2026
Sonia

(H.S.GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No