



CRM-M-28135-2026

-1-

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

CRM-M-28135-2026 (O&M)

Date of Decision: 22.05.2026

Adarsh Sahu

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Mukul Goyal, Advocate, for the petitioner(through VC).

Ms. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)CRM-22045-2026

Allowed as prayed for.

Main case

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.714 dated 25.10.2025, registered under Sections 22(B), 29 of NDPS Act, 1985, Section 238 BNS, 2023 and Section 21 of the Foreigners Act, 1946, at Police Station Sadar, Gurugram.

2. Succinctly, facts of the case are that on 25.10.2025, the police party while on patrolling received a secret information to the effect that Adarsh (petitioner) is keeping and supplying illegal narcotic substance (MDMA) in his rented house. On receiving the information, the police reached the disclosed location and searched the rented premises of Adarsh in the presence of Inder Singh Podel and Gulfam. During the search, a black backpack was recovered containing a wooden dibbi (small box), inside which two polythene packets containing white and brown substances were found and on weighing the same were found to be 26 grams. Thus, the FIR was registered and investigation commenced. During investigation, sufficient evidence were found against Adarsh for the conscious possessions of the contraband. Thus, he was arrested on 24.10.2025. Petitioner



approached the Court of learned Additional Session Judge, Gurugram, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides vide order dated 29.04.2026. Aggrieved by the same, the petitioner is before this Court by way of filing of present petition for grant of bail.

3. It has been vehemently contended by learned Senior Counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that the FIR in the present case was lodged on the basis of secret information, but there is violation of Section 42 of the NDPS Act. He submits that the alleged recovery is in violation of Section 50 of the NDPS Act and thus, the conscious possession of the petitioner is not proved. To buttress his arguments, he submits that the petitioner has no criminal antecedents as he has never been involved in any other case. He submits that even otherwise, the alleged 26 grams of Methamphetamine is a non-commercial quantity and thus, provisions of Section 37 of the NDPS Act are not attracted. He, thus, submits that the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. It is submitted that the petitioner was specifically named in the secret information. She submits that on conducting raid, 26 grams of Methamphetamine has been recovered from the house of the petitioner. She contends that on the disclosure statement of the petitioner, two more co-accused were named and another quantity of contraband was recovered from them. However, different FIRs have been registered against them. On instructions, she has submitted that the investigation is complete and the challan has been presented. She has placed



CRM-M-28135-2026

-3-

on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that as per the case of the prosecution, FIR in the present case was lodged on the basis of secret information. The petitioner was arrested on 24.10.2025. Violation of Sections 42 and 50 of NDPS Act has been vehemently contended before this Court. Admittedly, the contraband recovered in the present case falls under the non-commercial quantity. The custody certificate would show that the petitioner has suffered incarceration of 06 months & 27 days as on 21.05.2026. It further shows that the petitioner has no criminal antecedents. Investigation in the present case is complete.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

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

(RAJESH BHARDWAJ)
JUDGE

22.05.2026

sharmila

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No