



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

114-2 **CRM-M-30954-2025**

SUNIL DIXIT @ AJAY @ JAI ... Petitioner

VERSUS

STATE OF HARYANA ... Respondent

A N D

114-3 **CRM-M-53001-2025**
Date of Decision: 19.02.2026

JAI BHAGWAN ... Petitioner

VERSUS

STATE OF HARYANA ... Respondent

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

Present: Mr. Sahil Chaudhary, Advocate for the
petitioner in CRM-M-30954-2025.

Mr. Ankur Jain, Advocate for the
petitioner in CRM-M-53001-2025.

Ms. Ruchi Sekhri, Addl. A.G., Haryana.

H.S. GREWAL, J. (ORAL)

Both these petitions are being decided together by this common order
since the facts therein are similar and they arise out of same FIR.

2. The petitioners are seeking regular bail under Section 483 BNSS, 2023
in case FIR No.0043 dated 19.02.2025, under Sections 22(c) of the NDPS Act, 1985
(Section 29 of the NDPS Act added later on) registered at P.S. Mullana, District
Ambala.

3. The case of the prosecution is that from one Om Parkash, 1.941 Kgs of tramadol tablets were recovered. Said Om Parkash named Abhishek as the person for whom the said contraband was supplied. Om Parkash has also stated that he had purchased the contraband from one Zakir Husain and in the disclosure statement of said Zakir Husain, the name of co-accused Sumit had surfaced. Further, on the basis of disclosure statement of said Sumit, co-accused Sunil Dixit (petitioner in CRM-M-30954-2025) was implicated in the present case. Petitioner-Sunil Dixit was an employee of Jai Pharma Medical Store. Further, he named his employer namely Jai Bhagwan (petitioner in CRM-M-53001-2025), who is the owner of said Jai Pharma Medical Store, CT Super Market Kankar Khera District Meerut. It is alleged that Sunil Dixit and Jai Bhagwan are the main suppliers of the contraband. It is also alleged that they are involved in one more case under NDPS Act.

3. Learned counsel for the petitioners submit that apart from the said disclosure statements, there is no other evidence to connect the petitioners with the alleged recovery of contraband. Even no recovery has been effected from the petitioners. Learned counsel for the petitioner further submits that as far as another case under NPDS Act is concerned, the same was registered by the same police official and in the same police station. It is further submitted that the petitioner Sunil Dixit is in custody for the last 11 months and 16 days and petitioner Jai Bhagwan is in custody for the last 07 months and 29 days. Therefore, the petitioners be released on regular bail.

4. Learned State Counsel vehemently opposes the prayer for grant of regular bail to the petitioners on the ground that the role attributed to the petitioners is specific and serious. Learned State Counsel has filed the custody certificates of the petitioners, which are taken on record. As per the said custody certificates, the custody period of the petitioners, as stated above, is not in dispute.

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

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioners are in custody for the last 11 months and 16 days and 07 months and 29 days respectively, this Court is of the opinion that the petitioners deserve the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioners would not serve

the ends of justice, therefore, they are entitled to regular bail during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, instant petitions are allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. It is clarified that if while on bail so granted through the instant order, the petitioners are found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of their bail.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

FEBRUARY 19, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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