



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

211

CRM-M-29981-2026

Date of decision :29.05.2026

Date of uploading :29.05.2026

Anshu

.....Petitioner

Versus

State Of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ankit Kumar Bhinchar, Advocate for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.191 dated 10.08.2019 under Sections 15 of NDPS Act, 1985, registered at Police Station Sadar Tohana District Fatehabad.

2. The gravamen of the allegations against the petitioner is that he is an accused of being involved in an FIR pertaining to the NDPS Act involving the alleged recovery of 18 kg of poppy husk (Doda Post) from the petitioner.

3. Learned counsel for the petitioner has argued that the petitioner was initially arrested on 10.08.2019, whereinafter he came to be released on regular bail, vide order dated 16.09.2019 passed by the learned Additional Sessions Judge, Fatehabad. Learned counsel has further argued



that the petitioner continued to appear regularly before the concerned Court till 21.11.2024, whereafter, on account of miscommunication with the learned trial counsel, he could not appear and his bail was cancelled. Learned counsel has further argued that the petitioner was re-arrested on 16.02.2026 and has been in continuous custody since then. Learned counsel has further argued that non-appearance of the petitioner before the concerned Court was inadvertent and that he is willing to face trial in accordance with law by causing appearance on all dates except when exempted by the concerned Court. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 28.05.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. It is not in dispute before this Court that the petitioner was earlier granted the concession of regular bail on 16.09.2019 and that he kept on appearing till about November 2024. The petitioner has been in continuous custody since 16.02.2026 after having been re-arrested. Keeping in view the entirety of the factual milieu of the case in hand, especially the factum of the petitioner having been earlier enlarged on bail in the year 2019 and continuously appearing before the concerned Court till November 2024, and presently being in custody after having been re-arrested in February 2026, this Court is inclined to afford the concession of regular bail to the petitioner.



Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is **allowed**. Petitioner is ordered to be released on regular bail, if not required in any other case, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.
- (viii) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that he has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after his being enlarged on bail in the present FIR, on the basis of his affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of his bail which plea, but of course, shall be ratiocinated upon merits thereof.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

29.05.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No