



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

204

CRM-M-31180-2026 (O&M).

Date of Decision: 04.06.2026.

Sandeep alias Bhuriya

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

Mr. Ashwani Bhatia, Assistant Advocate General, Haryana.

SANJAY VASHISTH, J. (Oral)

Petitioner-Sandeep alias Bhuriya, aged 32 years, has filed this petition under Section 483 of BNSS, 2023, seeking regular bail in case FIR No.376 dated 28.10.2025, registered under Section 20B(II)C (Sections 29, 61, 85 of the NDPS Act added later on) and Section 238 of BNS, at Police Station Tosham, District Bhiwani.

2. As per allegations in the FIR, while police team was present near Bus Stand Tosham in search of narcotic substances, one special informant came and informed that accused-Sandeep alias Bhuriya (petitioner herein) and his associate Naveen alias Panna are in illegal business of selling *Charas* and presently they are together near Government Senior School Tosham. On receipt of information, notice under Section 42 of the NDPS Act was prepared and sent to Police Station Tosham and thereupon the raid was conducted. Both the named accused were found together and after following the procedure under law, when search was conducted, nothing could be recovered

from the possession of petitioner-Sandeep alias Bhuriya. However, on making search of the cloth bag held in right hand by co-accused Naveen alias Panna, one black coloured polythene was found in it and upon opening the same, it was found containing total 1.148 kilograms of *Charas*.

3. Learned counsel for the petitioner argues that in fact petitioner is completely innocent and in his past career he was never found involved in any activity, punishable under the NDPS Act. Further submits that petitioner is inside jail since the time of his arrest i.e. 28.10.2025 and merely being in company of the accused who was keeping the recovered contraband in his exclusive possession and that too concealing in a bag, it cannot be assumed that petitioner was having any knowledge of it or in any manner was in conscious possession of the recovered *Charas*. Thus, prays for grant of regular bail to the petitioner.

4. On the other hand, learned State counsel has filed custody certificate dated 03.06.2026, which is taken on record. Registry is directed to tag the same at appropriate place with the paper book.

Learned State counsel opposed the bail on the ground that keeping in view the nature of offence committed by the petitioner, he does not deserve the concession of bail. However, learned State counsel is unable to dispute any of the factual submissions addressed by the petitioner's counsel including that petitioner is not found involved in any other similar activity.

5. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto.

6. Petitioner is aged about 32 years and in his past career never found indulged in any other similar activities and also no recovery of any narcotic contraband or drug money etc. is recovered from the possession of

the petitioner.

In view of the fact that petitioner being a first-time offender, this Court finds that he deserves another opportunity to rehabilitate himself in society. Accordingly, this Court finds merit in the prayer for bail. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

Consequently, present petition is **allowed**. Petitioner is ordered to be released on regular bail, subject to his furnishing bail/ surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. **Petition stands disposed of accordingly.**

Pending application(s), if any, also stand disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

04.06.2026

jitender

Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No