

CRM-M-36968-2025

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-36968-2025
Decided on :10.02.2026

Manirul Sheikh

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

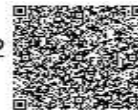
Present: Mr. Kawalpreet Singh Virk, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed by petitioner-Manirul Sheikh aged about 38 years under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

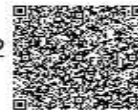
Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Manirul Sheikh, aged 38 years	244	14.09.2024	21(c), 20(b) (ii)(a), 29 of NDPS Act, 1985	Sector 53	Gurugram

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2. As per case of the prosecution, petitioner is a resident of State of West Bengal and was found in possession of 299 grams of Heroin/Smack and 253 grams of Ganja in a bag.

3. Learned counsel for the petitioner argues that, petitioner has been falsely implicated in the present case a false case; whereas no such substance was ever recovered from his possession. He also submits that, in the past he was never found indulged in any other similar activity. As of now, petitioner is inside jail for a period of 1 year 4 months and 2 days. He further argues that, after completion of investigation, final report was submitted before the Court on 05.03.2025 and charges were framed on 24.03.2025. However, out of total 17 prosecution witnesses none has been examined till date. Furthermore, he submits that petitioner belongs to the State of West Bengal and does not understand or write Hindi language; nevertheless, investigation was conducted by obtaining the signatures of petitioner on papers that were either blank or written in Hindi. Also, the other co-accused mentioned namely (i) Rafikul Mallick, (ii) Bhasan Shekh @ Hasarool Shekh and (iii) Marfot Sheikh alias Maru have already been ordered to be released on bail by this Court, though they were involved in the case on the basis of disclosure statement (Annexures P-3 to P-5). Therefore, culmination of trial would likely to take considerable time. Thus, prays for grant of regular bail.

4. On the other hand, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that a commercial quantity of 299 grams of *heroin/smack* was

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recovered from the petitioner, apart 253 grams of Ganja (small quantity). After arrest of the petitioner, he got recovered mobile phone POCO-M3 along with SIM No. 7601810227, which contained call details amongst all the accused including the petitioner. Since petitioner was found directly in dealing with the possession of Herion, therefore, he does not deserve any leniency for the purpose of considering his prayer for bail. Thus, prays for dismissal of the present bail petition.

5. Heard learned counsel for the parties.

6. Considering the submissions, this Court is not expected to make any observation in regard to the factual aspect at this stage, by taking note of the evidence, collected during the course of investigation. Undoubtedly, petitioner who is aged 38 years, was/is apprehended with 299 grams of Heroin, in addition to 253 grams of Ganja, as alleged by the prosecution. However, charges beyond reasonable doubt are yet to be proved by the prosecution before the trial Court. Moreover, out of a total 17 prosecution witnesses, none has been examined till date despite, charges having been framed on 24.03.2025. However, this Court is of the view to give at least one chance to such a citizen to rehabilitate himself, by taking recourse of reformation and reintegration into society.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, this Court deems it appropriate to grant the concession of bail to the petitioner.

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Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on 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.

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

9. The observation made hereinabove 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.

10. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

10.02.2026*ankit*

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