

2026:PHHC:023667



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

232

CRM-M-43401-2025 (O&M)
Date of decision: 16.02.2026

Chander Pal**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sauhard Singh, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 185 dated 19.05.2025, registered under Section 15(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sadar Fatehabad, District Fatehabad.

2. Brief facts of the case relevant for the disposal of the present petition are that on 19.05.2025, on the basis of a secret information, the petitioner was apprehended by a police party and recovery of 02 kgs. 200 grams of poppy husk, was effected from him. Since he could not produce any valid license or permit to keep in his possession the recovered contraband, he was formally arrested at the spot. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, the petitioner is facing trial for commission of

2026:PHHC:023667



aforementioned offence.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, the alleged recovered contraband was planted on him. Even otherwise, the quantity of the recovered contraband does not fall under commercial quantity. The petitioner is in custody since 19.05.2025. Conclusion of trial will take considerable time as only 02 prosecution witnesses have been examined so far out of total 14 witnesses. His involvement in other cases cannot be made a ground for denying him the benefit of bail in this case in the given circumstances. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. It is argued by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner as well as his criminal antecedents, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is in custody since 19.05.2025. The quantity of the contraband allegedly recovered from him does not fall under commercial quantity. Investigation has since been completed and challan has been filed. Conclusion of trial is likely to take considerable time. A perusal of the status report reveals that the petitioner is involved in some other cases as well but he has been acquitted in two cases and is on bail in three cases of similar nature, though he stands convicted in one case registered against him under

2026:PHHC:023667



the provisions of the Excise Act. Keeping in view the aforesaid facts, this Court is of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

16.02.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No