

**CRM-M-43097-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****115****CRM-M-43097-2025****Decided on :06.04.2026**

Loka Madhukhar

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Shyam Manohar, Advocate for the petitioner.

Mr. Parveen Kumar, Addl. A.G., Haryana.

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**SANJAY VASHISTH, J. (Oral)**

1. Present petition has been filed under Section 483 of BNSS (corresponding Section 439 Cr.P.C.) seeking regular bail in case FIR No.149 dated 29.07.2024, under Sections 29/20 (b) (ii)(c), 60 of NDPS Act, 1985 (Section 238(c) of BNS was added lateron) registered at Police Station Lakhan Majra, District Rohtak, Haryana.

2. As per the case of the prosecution, upon receiving secret information regarding a black-coloured Scorpio vehicle and a Swift car bearing registration No. HR-12-AK-4037, police set up a barricade to check the vehicles. Shortly thereafter, both the aforesaid vehicles were seen approaching and were intercepted.

The occupant of the black-coloured Scorpio, bearing temporary registration No. T064 HR 1666 AS, disclosed his name as Ritu. However, driver of the Swift car fled from the spot, leaving the vehicle behind. It is further alleged that 47.200 kg of ganja was recovered from the rear portion of the black-coloured Scorpio.

3. Learned counsel for the petitioner submits that the petitioner is a resident of Rudaram Malhar, Karimnagar, Telangana, and has been falsely implicated in the present case, as his involvement is alleged solely

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on the basis of the disclosure statement made by co-accused Ritu, who has been granted the concession of regular bail vide order of even date, i.e., 06.04.2026. Counsel further submits that that another co-accused, Yogesh, has also been granted the concession of regular bail by this Court vide order dated 12.02.2026 passed in CRM-M-37142-2025. Counsel further submits that the UPI transactions relied upon by the prosecution are matters of record and are yet to be established by leading evidence to prove, beyond reasonable doubt, that the said transactions were carried out solely for the purpose of smuggling ganja recovered in the present case. It is contended that, apart from the disclosure statement, no other evidence is presently available with the prosecution.

4. Learned counsel further submits that petitioner, aged 31 years, is in custody for a period of last 01 year and 07 months and has clean antecedents, with no other case registered against him. Counsel also submits that out of a total of 35 prosecution witnesses, only 06 have been examined till date; thus, trial is likely to take considerable time to conclude. Accordingly, prayer is made for the grant of regular bail.

5. Per contra, learned State counsel opposes the grant of bail and submits that petitioner is involved in a serious offence involving recovery of a commercial quantity of contraband, i.e., 47.200 kg of ganja, thereby attracting the rigours of Section 37 of the NDPS Act. Learned State counsel further contends that petitioner's involvement is supported by the material collected during investigation, including the disclosure statement of the co-accused and electronic evidence such as UPI transactions.

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6. Considering the fact that the petitioner is in custody for a period a period of last 01 year and 07 months, coupled with the fact that co-accused has already been granted the concession of regular bail, and also taking into account that only a few prosecution witnesses have been examined and trial is likely to take considerable time to conclude, this Court is of the considered view that no useful purpose would be served by keeping the petitioner in further custody.

Accordingly, without expressing any opinion on the merits of the case, 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.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. 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.

9. Petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**06.04.2026**  
***Rashmi***