

2026:PHHC:057984



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

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Date of Decision: 17.04.2026.

(1) CRM-M-53947-2025

Chhinda

....Petitioner.

VERSUS

State of Haryana

....Respondent.

WITH

(2) CRM-M-6405-2026

Vishal

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amit Chaudhary, Advocate
for the petitioner (in CRM-M-53947-2025).

Mr. A.S. Khosa, Advocate
for the petitioner (in CRM-M-6405-2026).

Mr. Parveen Kumar Aggarwal, Additional Advocate General,
Haryana.

SANJAY VASHISTH, J. (Oral)

Petitioner-Chhinda (in CRM-M-53947-2025) and petitioner-Vishal (in CRM-M-6405-2026), have filed the aforementioned two petitions under Section 483 BNSS, 2023, seeking regular bail in case FIR No.41 dated 24.02.2025, under Section 15(c) of NDPS Act (Section 27-A of NDPS Act added later on), registered at Police Station Sadar Tohana, District Fatehabad.

2. Learned counsel for the petitioners submit that the recovery in

this case is marginally above the commercial quantity as recovery effected from both the petitioners is 57.578 Kgs. of poppy husk. Counsel further submit that both the petitioners were arrested on the spot on 24.02.2025 and after completion of investigation, challan was presented on 01.08.2024 and thereafter charges were framed on 29.08.2025, however, out of total 14 prosecution witnesses, only one witness has been examined so far. Counsel also submit that except the instant case, no other case is found to be registered against any of the petitioners. Relying on these submissions, and considering the period of incarceration already undergone by the petitioners, prayer is made for the grant of bail.

3. On the other hand, learned State counsel has filed status report dated 12.03.2026 by way of affidavit of Superintendent of Police, Tohana (in CRM-M-6405-2026), 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 petitioners, they do not deserve the concession of bail.

4. This Court has perused the contents of the petitions and the appended documents thereto, in addition to the status report, and has carefully considered the submissions made by the respective counsel. Recovery in this case is marginally above the commercial quantity as recovery effected from both the petitioners is 57.578 Kgs. of poppy husk. The petitioners were arrested on the spot on 24.02.2025. After presentation of challan, charges have already been framed but out of total 14 prosecution witnesses, only one one witness has been examined so far. The petitioners are not involved in any other case under NDPS Act and they are inside jail for a period more than 01

year and 01 month. Trial of the case will take a considerable time to conclude. Thus, considering totality of circumstances and the prolonged period of incarceration already undergone, this Court finds merit in the prayer of the petitioner.

Consequently, prayer made in the present petitions is **allowed**. Petitioner-Chhinda and petitioner-Vishal are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

5. 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.

6. **Accordingly, both the petitions stand disposed of.**

7. Pending application, if any, also stands disposed of.

8. Photocopy of this order be placed on the connected file.

(SANJAY VASHISTH)
JUDGE

17.04.2026
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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No