



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

109

CRM-M-56359-2025.

Date of Decision: 08.04.2026.

Gurdeep Kumar

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sahil Choudhary, Advocate for the petitioner.

Mr. Parveen Kumar, Additional Advocate General, Haryana.

SANJAY VASHISTH, J. (Oral)

Petitioner-Gurdeep Kumar, aged 32 years, has filed the present petition under Section 483 of BNSS, seeking regular bail in case FIR No.121 dated 29.04.2024 under Sections 22(c) and 29 of NDPS Act, registered at Police Station Sadhaura, District Yamuna Nagar.

2. The first bail petition (CRM-M-2700-2025) of the petitioner was disposed of vide order dated 21.05.2025 (Annexure P-5), as the same was withdrawn by petitioner-Gurdeep Kumar.

3. As per allegations, the FIR in this case was registered on the basis of secret information and recovery of total 645 capsules of Dicyclomine Hydrochloride, Tramadol Hydrochloride, Acetaminophen Capsules, which was present in the bag handled by the petitioner was effected on 29.04.2024.

4. Without making submissions on merits, counsel for the petitioner submits that petitioner is inside jail for the last more than 01 year and 11 month and till date none of the prosecution witnesses has been examined, therefore, without proving of the charges beyond reasonable doubt, petitioner cannot be detained inside jail and, thus, prays for grant of bail to the petitioner.

5. On the other hand, learned State counsel submits that though charges were framed on 14.01.2026, however, out of total 22 prosecution witnesses, none has been examined till date. It is also not disputed that co-accused of the petitioner namely Sidharth has already been released on bail, vide order dated 04.03.2025 passed in CRM-M-10946-2025 (Annexure P-3), who was also involved as accused on the basis of the disclosure statement, being supplier of the recovered capsules from the petitioner.

He further submits that petitioner has been convicted and sentenced for imprisonment for a period of 03 years in another case FIR No.1486/2018 dated NIL, under Section 21 NDPS Act, Police Station City Jagadhri, Yamuna Nagar.

Responding over this, learned counsel for the petitioner submits that undoubtedly quantity in the above said case (FIR No.1486/2018) was non-commercial and the petitioner should not have been sentenced for a period of three years. However, appeal preferred by the petitioner against his conviction in the said case is pending adjudication.

6. I have heard learned counsel for the parties and gone through the record.

7. Considering the aspect that out of total 24 prosecution witnesses, none has been examined so far and the fact that petitioner is inside jail since

29.04.2024 and conclusion of trial of the case is likely to take considerable time, petitioner deserves to be extended the concession of bail. 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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. 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.

9. 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.

10. **Petition stands disposed of.**

(SANJAY VASHISTH)
JUDGE

08.04.2026

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