



CRM-M- 57497-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-57497-2025 (O&M)

Decided on :30.01.2026

DHEERU KUMAR YADAV ALIAS DHIRU KUMAR . . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Satnam Singh Gill, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)**CRM-3016-2026**

1. Present application has been moved by the applicant/petitioner seeking preponement of the date of hearing in the main case i.e. CRM-M-57497-2025 which is fixed for 21.04.2026.

2. To substantiate the plea of bail, counsel for the applicant/petitioner submits that previously, on 15.01.2026, main petition was expected to be taken up for its hearing, however it could not reach for its hearing. Therefore, by court's order, the same was adjourned to 21.04.2026.

Further submits that plea of bail to the applicant/petitioner is entirely covered with the order of bail already granted to the co-accused namely Sunaina Devi, vide order dated 23.09.2025 passed in CRM-M-43461-2025 (Annexure P-2).

3. Notice in the application.



4. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts an appearance on behalf of the respondent/State, and raises no serious objection, if prayer made in the present application, is allowed.
5. Considering the averments mentioned in the present application, prayer made therein is allowed. Accordingly, date of hearing in the main case, i.e. CRM-M-57497-2025 is ordered to be preponed from 21.04.2026 to 30.01.2026, i.e. today itself.
6. CM stands disposed of.

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1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.47 dated 16.01.2025, under Section 18 of NDPS Act, registered at Police Station City Karnal, District Karnal.
2. Learned counsel for the petitioner contends that, at the first instance, co-accused namely Sunaina Devi, was arrested along with co-accused Dhruv Yadav from the area of Bus Stand, Karnal. However, vernacular language of the FIR does not clearly specify whether the prosecution can establish, against one or both the accused, the contraband recovered in this case i.e. 3 kg of opium from a bag; was in their knowledge to constitute it a conscious possession.

It is mentioned that during the search of the bag, in the presence of the aforementioned women and the male person, a heavy polythene bundle was recovered, wrapped in a red and black shawl. Upon opening the black polythene bag, a transparent polythene bag was found containing a black-colored substance.



Mr. Satnam Singh Gill further argues that total recovered contraband is shown to be 3 kg of opium, and petitioner, who is aged 22 years, has no previous record of his involvement in any other similar activity. Therefore, he urges that there is a strong possibility of his false implication or, at the very least, a doubt without any substantive basis.

Counsel also submits that two other co-accused, namely Satish Kumar and Muneshwar, who were also implicated as accused, based on the disclosure statements for committing offence under Section 29 of the NDPS Act, have been granted the concession of bail.

Similarly, co-accused Sunaina Devi, has also been granted the concession of regular bail by this Court, vide order dated 23.09.2025 passed in CRM-M-43461-2025 (Annexure P-2). Therefore, petitioner prays for the grant of bail as well.

3. Learned State counsel opposes the grant of bail, by submitting that recovery in the present case is 3 kg of opium, which is commercial quantity. Moreover, bail granted to other co-accused does not set a precedent for the petitioner, whose involvement and evidence against him may differ. Therefore, prays for dismissal of present petition.

4. I have heard the learned counsel for the parties and perused the relevant material on record.

5. Undoubtedly, other co-accused namely Sunaina Devi, Satish Kumar and Muneshwar have been released on bail, and petitioner is not involved in any other criminal activity of similar nature.



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6. Therefore, in view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of bail to the petitioner.

Consequently, 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.

7. Any of the discussion done and recorded here above, 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, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

30.01.2026

Lavisha

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