



CRM-M-58209-2025

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**(214) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-58209-2025
Date of Decision: 09.01.2026**

SANT LAL**... Petitioner****Versus****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI****Present: Mr. Amit Choudhary, Advocate for the petitioner.****Mr. T.P. Singh, Senior DAG, Haryana.*************JASJIT SINGH BEDI, J.**

The prayer in this second petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.87 dated 28.03.2025 under Sections 18(c) NDPS Act at Police Station Rai, District Sonipat.

2. The brief facts of the case are that on 28.03.2025, the police allegedly recovered 39 kg 750 grams of green poppy plants from a flower garden inside World University of Design, Rai, Sonipat, where the accused Sant Lal was working as a gardener.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. There is violation of mandatory provisions of the Act regarding search and seizure including Sections 42 and 50. The recovery is of non-commercial quantity of contraband. As the petitioner is in custody since 28.03.2025 but none of the 22 prosecution witnesses has been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

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4. The learned counsel for the State, on the other hand, contends that serious allegations have been levelled against the petitioner. Offences of this kind are on the rise and, therefore, he is not entitled to the concession of bail. He, however, concedes that the petitioner is a first-time offender, is in custody since 28.03.2025 but none of the 22 prosecution witnesses has been examined so far and that the recovery is of non-commercial quantity of contraband.

5. I have heard the learned counsel for the parties.

6. Admittedly, the recovery from the petitioner is of non-commercial quantity of contraband. Therefore, the bar contained under Section 37 of the NDPS Act would not be applicable to the case of the petitioner. Further, the petitioner is stated to be in custody since 28.03.2025 but none of the 22 prosecution witnesses has been examined so far. Therefore the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Sant Lal S/o Daya Ram is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

09.01.2026

Kusum

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No