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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.59172 of 2025
Date of Decision: 11.02.2026

Nasir Ali ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajesh Duhan, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
159	09.03.2025	Thanesar Sadar, District Kurukshetra	18, 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’)

2. As per the allegations, on 09.03.2025, on receipt of a secret information to the effect that the petitioner and the co-accused Sharif Ali who were cousins, were engaged in the business of buying opium from Bareilly and sell it in the different cities of Haryana and Punjab since

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long time. It was informed that since the previous night, they were roaming around in the area of Ambala and Kurukshetra cities in a car while carrying a huge quantity of opium and could be apprehended, if the raid was conducted. Believing the secret information to be true, an intimation was sent to the concerned police station. A barricade was laid. A silver colour XUV 700 car bearing registration No.HR-26CP-6193 was stopped. The petitioner and co-accused were occupant of the same. On conducting search, 03 kg and 100 grams of opium was recovered from their conscious possession. They were formally arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. He is in custody for a period of about 11 months. He is simply a labourer and used to work in District Kurukshetra and had no knowledge about the fact that the contraband was kept in the car which belonged to the co-accused. The trial will take considerable time to conclude. He has clean antecedents. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

4. Status report has been filed. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations as levelled against the petitioner, the fact that commercial quantity of contraband was recovered from him and that the rigors of Section 37 of NDPS Act are attracted, the petitioner does not deserve to be released on

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bail.

5. This Court has considered the rival submissions.
6. The petitioner is in custody since 09.03.2025. He along with the co-accused is found to be in conscious possession of commercial quantity of contraband. As such, the rigors of Section 37 of NDPS Act are prima facie attracted in this case. There is no material on record to show that there would be any undue delay in conclusion of the trial. The allegations against the petitioner are serious in nature. Taking into consideration the gravity of the accusations, the severity of the punishment which the conviction may entail and the attendant facts and circumstances, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.
7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

11.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No