

2026:PHHC:045335



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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CRM-M-60928-2025
Date of Decision: 23.03.2026

VIPIN @ VIPIN GIRI GOSWAMI

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Ms. Parul Saini, Advocate for
Mr. Hushank Goswami, Advocate
for the petitioner.

Dr. (Ms.) Malvika Singh, DAG, Haryana.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.56 dated 20.01.2025 under Sections 15-C and 29/61/85 of the NDPS Act, 1985 and Sections 121(1), 132, 221 and 324(5) of BNS, 2023 registered at Police Station Sadar Hisar, District Hisar.

2. The case of the prosecution is that the instant FIR was registered on the basis of secret information that accused Sehdev along with his wife Pari and one Harsh was coming from Siwani side in a vehicle bearing registration No.DL-2 CAT-4610 carrying poppy husk and they could be apprehended if a naka-bandi was carried out. On the basis of said information, the police party stopped the said vehicle. During its search, 89.800 Kgs of poppy husk packed in four bags was recovered. The vehicle was being driven by Harsh, while the woman travelling in

the vehicle was identified as Pari @ Lalita wife of Sehdev. Said Sehdev, however, managed to escape from the spot

3. Learned Counsel for the petitioner contends that the allegations against the petitioner are false and concocted and the petitioner has not committed any offence. Moreover, petitioner is not named in the FIR and has been implicated in this case merely on the basis of disclosure statement made by the co-accused. It is further submitted that at the time of registration of instant FIR, the petitioner was already in custody in other case bearing FIR No.14 dated 18.01.2025 under Sections 8 and 15 of NDPS Act, registered at Police Station Vallabh Nagar, Rajasthan. The petitioner was taken on production warrants and joined in investigation in the present case on 16.06.2025 and since then he is in custody in the present case also. He further submits that although the petitioner is involved in other cases, but in the present case, nothing has been recovered from him and he has been implicated in the present case merely on the basis of disclosure statement. It is further contended that apart from the disclosure statement, there is no other piece of evidence to connect the petitioner with the alleged recovery of contraband. He further contends that the charges were framed against the petitioner on 23.09.2025 and out of 43 witnesses, not even a single witness has been examined till date. As such, the trial will take a long time to conclude. He thus prays that the petitioner be granted the concession of regular bail.

4. Learned State Counsel vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are very serious in nature and the petitioner has actively participated in the alleged offence. The petitioner does not deserve the concession of bail. Hence, she prays for dismissal of the present petition. Custody

certificate of the petitioner has not been produced by the State Counsel, however, she admits the date of arrest of the petitioner in the present case as 16.06.2025.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody since 16.06.2025 coupled with the fact that the trial of the case is likely to take a long time to conclude as none of the witnesses has been examined so far as well as the fact that nothing has been recovered from the petitioner in the present case, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 23, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No