

123 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH



CRM-M-61468-2025 (O&M)
Date of Decision: 20.03.2026

DHARMBIR @ DHARMVEER ... PETITIONER
STATE OF HARYANA VERSUS ... RESPONDENT

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

Present:- Mr. J.S.Sandhu, Advocate for the petitioner.

Dr. Malvika Singh, D.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.188 dated 17.03.2024 under Section 20(b)(ii)C of the NDPS Act (Section 29 of NDPS Act added later on) registered at Police Station City Rohtak, District Rohtak.

2. The case of the prosecution is that on the basis of secret information, one Rekha @ Suman was apprehended with 1.5 kgs of charas and on her disclosure statement, the petitioner has been nominated as an accused for allegedly supplying the contraband to her.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the commission of crime. Moreover, main accused Rekha @ Suman has already been granted bail by this Court vide order dated 29.11.2025 passed in CRM-M-40820-2025. He further submits that the petitioner is in custody for the last 01 year, 03 months and 21 days. He, thus, prays for grant of bail to the petitioner.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State

counsel has filed the custody certificate in Court, which is taken on record. She further submits that as per the custody certificate, the petitioner is in custody for the last 01 year, 03 months and 21 days and is involved in 11 more cases and out of total 15 prosecution witnesses, none has been examined so far.

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

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner has been nominated on the basis of disclosure statement made by the co-accused, who has already been granted bail by this Court; the petitioner is in custody for the last 01 year, 03 months and 21 days; out of total 15 prosecution witnesses, none has been examined so far; the conclusion of trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *‘bail is rule and jail is exception’*.

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 bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

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

20.03.2026
Janki

(H.S.GREWAL)
JUDGE

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