



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-67248-2025
Decided on : 09.04.2026

Sahil . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Apurva Walia, Advocate
for the petitioner(s).

Mr. P.K. Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sahil	213	19.05.2024	22 of NDPS Act, 1985 [S. 29 of NDPS Act and 201/204 of IPC added later on]	Old Subzi Mandi	Rohtak

2. As per allegations in the FIR, a secret information was received by the police party that the petitioner was indulging in the illegal sale of bottles of intoxicant substances. On the basis of the said information, a raid was conducted and a white and green coloured camper bag lying near the petitioner – Sahil was noticed. Upon checking the same, 38 vials of Wincerex cough syrup were recovered.

3. Learned counsel for the petitioner submits that till the time the petitioner was implicated in the present case, no other criminal case was ever



registered against him. It is further submitted that only with a view to enhance the number of cases, after arrest of the petitioner in the present case on 19.05.2024, he was also implicated in another case, i.e., FIR No.220 dated 22.05.2024 under Sections 22, 27-A and 29 of the NDPS Act and Section 201 IPC, registered at Police Station Old Subzi Mandi, Rohtak. However, the petitioner has already been granted the concession of regular bail in the said case vide order dated 11.07.2025.

It is further submitted that apart from the aforesaid case, no other case is pending against the petitioner and the present case is the only case in which he is presently involved.

4. Learned counsel further submits that petitioner is inside the jail for a period of 01 year, 10 months and 17 days. Out of total 27 prosecution witnesses, 16 witnesses have already been examined, whereas 07 witnesses are yet to be examined, as 04 witnesses have already been given up by the prosecution. Thus, in view of the aforesaid facts and circumstances, learned counsel prays for grant of concession of regular bail to the petitioner.

5. On the other hand, learned State counsel has filed the custody certificate dated 08.04.2026 in Court today, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

6. Learned State counsel, while opposing the prayer for bail, submits that the petitioner is involved in an offence under the NDPS Act and the recovery of intoxicant substance has been effected from his conscious possession. It is contended that keeping in view the nature and gravity of the



offence, the petitioner does not deserve any leniency.

However, learned State counsel does not dispute the factual position as noticed here-above, including the period of incarceration undergone by the petitioner and the stage of trial.

7. I have heard learned counsel for the parties and have perused the material available on record.

8. Considering the submissions made by learned counsel for the parties, it is noticed that the petitioner is inside the jail for a period of about 01 year, 10 months and 17 days. It is further a matter of record that out of total 27 prosecution witnesses, 16 witnesses have already been examined and only a few witnesses remain to be examined.

It is also not disputed that except the present case and one other case (in which the petitioner already stands enlarged on bail), no other case is pending against the petitioner. It is further noticeable that the involvement of the petitioner in the second case arose after his implication and arrest in the present case.

Keeping in view the age of the petitioner, who is about 27 years, and considering the overall facts and circumstances, this Court finds it appropriate to afford one more opportunity to the petitioner to join the normal course of life and to rehabilitate himself in society.

9. Considering the period of incarceration already undergone, the stage of trial, which is nearing completion, and without expressing any opinion on the merits of the case, this Court is of the considered view that further detention of the petitioner inside the jail would not serve any useful purpose. Accordingly, this Court deems it appropriate to grant the



concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**.
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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. 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.

13. Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

April 09, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No