



CRM-M-67007-2025

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.****CRM-M-67007-2025 (O & M)****Date of Decision:-25.03.2026**

Deepak Kumar Hista

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr.Gautam Kumar, Advocate with
Mr. Amit Rawat, Advocate, for the Petitioner.

Mr. Viney Phogat, DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in this petition under Section 483 BNSS is for the grant of regular bail in case FIR No.178 dated 03.11.2025 under Section 20 of the NDPS Act, 1985 (later on added Section 29 of the NDPS Act) registered at Police Station Sector 7, Panchkula, District Panchkula.

2. The brief facts of the case are that on secret information, the petitioner-Deepak Kumar Hista was apprehended and from his personal search, an I-phone, currency notes of Rs.580/- and a yellow coloured polythene containing 480 grams of charas came to be recovered. During the course of the investigation, he disclosed the name of one Adarsh Kumar as supplier of the contraband.

3. The learned counsel for the petitioner contends that the petitioner had 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 of the NDPS Act. The recovery is of non-commercial quantity of contraband. As the petitioner is in custody since 03.11.2025 but none out of the 20 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.

4. The learned counsel for the State, on the other hand, while referring to the status report dated 13.01.2026 which is already on record, 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 in custody since 03.11.2025, that none of the 20 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 03.11.2025 but none of the 20 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-Deepak Kumar Hista 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

25.03.2026
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

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