

128 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC.045153



CRM-M-67865-2025 (O&M)
Date of Decision: 23.03.2026

MANJEET ... PETITIONER
VERSUS
STATE OF HARYANA ... RESPONDENT

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

Present:- Mr. Sunil Goswami, 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.211 dated 24.07.2024 under section 18 (C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (Sections 29 of NDPS Act and section 238 (A) of BNS added lateron) registered at Police Station Julana, Distt. Jind.
2. The case of the prosecution is that on 24.07.2024, on the basis of secret information the police party apprehended one Jaibhagwan along with the petitioner and 3.043 Kgs of opium was recovered from co-accused Jaibhagwan and 2.002 Kgs of opium was recovered from the petitioner.
3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The contraband recovered from the petitioner does not fall under the category of commercial quantity. He further submits that the petitioner is in custody for the last 01 year, 07 months and 22 days and is not involved in any other case. 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, 07 months and 22 days and out of total cited 28 prosecution witnesses, only 02 witnesses have 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 contraband recovered from the petitioner does not fall under the category of commercial quantity; the petitioner is in custody for the last 01 year, 07 months and 22 days; he is not involved in any other case; out of total cited 28 prosecution witnesses, only 02 witnesses have been examined so far; the conclusion of trial is likely to take 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. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

9. 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.

23.03.2026
Janki

(H.S.GREWAL)
JUDGE

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