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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-69852-2025 (O&M)
Date of decision: 25.03.2026

Robin Singh @ Robin @ Neeja **...Petitioner**
Versus
State of Haryana **...Respondent**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Monty Goyal, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 802 dated 23.09.2024, registered under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Hisar Sadar, District Hisar.
2. Brief facts of the case relevant for the disposal of the present petition are that on 23.09.2024, on the basis of a secret information, the petitioner along with co-accused Balwinder @ Binder was apprehended by a police party and recovery of 267.35 grams of heroin was effected from his conscious possession. However, no incriminating material was recovered from the co-accused. They suffered disclosure statement admitting that they were involved in selling heroin and the recovered contraband belonged to them. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, the petitioner along with the co-accused is

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facing trial for commission of aforementioned offence.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The story put forth by the police party is concocted one. In fact, a false recovery was planted upon him and co-accused. The mandatory provisions of the NDPS Act were not complied with properly. Even otherwise, the quantity of the contraband allegedly recovered from the petitioner is marginally higher than the commercial quantity. Investigation has since been completed and challan has been presented before the Court. The trial is likely to take considerable time to conclude. The petitioner is in custody since 23.09.2024. No useful purpose would be served by keeping him in custody anymore. It is, thus, urged that the petition deserves to be allowed.

4. Status report and the custody certificate have been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, his criminal antecedents as well as the fact that commercial quantity of contraband was recovered from his conscious possession, he is not entitled to get benefit of bail as rigors of 37 of the NDPS Act would be attracted against him. Trial is going on at a proper pace. There are chances of the petitioner's absconding or committing similar offences, if released on bail. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. As per the allegations, the petitioner was apprehended by the police party along with co-accused on 23.09.2024 and recovery of 267.35 grams of heroin was effected from his conscious possession. Since the quantity of the recovered contraband falls under commercial quantity, therefore, the rigors of

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Section 37 of the NDPS Act would certainly be attracted against the petitioner. There is nothing on record to suggest that the petitioner did not commit the subject crime. As regards the arguments advanced by learned counsel for the petitioner with regard to non-compliance of the statutory provisions of the NDPS Act during investigation by the police party, the same have direct bearing on the merits of the case, which cannot be looked into at this stage while deciding a bail petition filed under Section 483 of BNSS. Investigation has since been completed and challan has been filed. Trial is going on at a proper pace. There is nothing on record to show that there would be any undue delay in conclusion of trial. The apprehension expressed by learned State counsel that the petitioner, if extended benefit of bail, may abscond or indulge in similar offences can also not be stated to be unfounded keeping in view his criminal antecedents. Keeping in view the discussion as made above, the quantity of recovered contraband, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail, at this stage. Hence, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

25.03.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No