



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-69960-2025 (O&M)

Date of decision: 16.03.2026

Sanjay

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

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CRM-M-3688-2026 (O&M)

Date of decision: 16.03.2026

Jalaluddin

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Ms. Gagandeep Kaur, Advocate and
Ms. Bhupinder Kaur, Advocate for the petitioner(s).

Mr. Onkar Singh Wahla, Sr. DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. Both these petitions, filed by two accused/petitioners, for grant of regular bail in case bearing FIR No.100 dated 26.04.2024, registered under Section(s) 20 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Beri, District Jhajjar, are being decided by this common order.

2. As per the case of the prosecution, the present FIR was registered on a secret information resulting in apprehension of the petitioners

(herein) who were travelling on a Pulsar motorcycle bearing registration No.HR-14R-8255. Petitioner-Sanjay was stated to be riding the motorcycle and wearing a back-pack wherein 1.93 kgs. of *Charas* was recovered whereas petitioner-Jalaluddin was stated to be a pillion-rider on the said motorcycle.

3. Learned counsel appearing on behalf of the petitioners contends that so far as petitioner-Sanjay is concerned, he is a 56 year old man and has no criminal antecedents and that despite a long incarceration of two years, the trial is still at initial stage. She further contends that so far as petitioner-Jalaluddin, is concerned, he was a pillion-rider; no recovery of any nature whatsoever has been effected from him and he has been nominated as an accused in the present case on the basis of purported joint possession of the contraband. She contends that petitioner- Jalaluddin has previous involvement in other cases under the Arms Act, however, there is no case under the Narcotic Drugs and Psychotropic Substances Act, 1985. She further contends that the petitioners have been in custody since 26.04.2029 respectively and only 08 out of the total 20 prosecution witnesses have been examined so far and the trial is likely to take a long time to conclude.

4. Learned counsel for respondent-State, on the other hand, contends that commercial quantity of *Charas* has been recovered from the back-pack of accused-Sanjay. The rest of the aspects i.e. pertaining to the clean criminal antecedents, the stage of the trial as well as the period of custody already undergone by the petitioners are, however, not disputed. He further does not dispute that notwithstanding the charges having been

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framed in October-2024, only 08 out of the total 20 prosecution witnesses have been examined so far.

5. Having heard the learned counsel for the parties and taking into consideration facts and circumstances as noted above, including the clean criminal antecedents of the petitioner-Sanjay, the role and nature of allegations against petitioner-Jalaluddin, the period of actual custody already undergone by them as well as the stage of the trial and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petitions.

6. Accordingly, the instant petitions are allowed and the petitioners are ordered to be admitted to regular bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

7. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

16.03.2026

Mangal Singh

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