

2026.PHHC.027337



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

137

CRM-M-71966-2025

Date of decision: 19th February, 2026

Raghubir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Narinder Singh Swaitch, Legal Aid counsel
for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 531 dated 04.10.2024 registered under Sections 15, 18 and 27-A and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act') at Police Station Sadar, Thanesar, District Kurukshetra.

2. As per the allegations, on 04.10.2024, on the basis of a secret information, the present petitioner and accused Amarjit Singh were apprehended along with a truck. On conducting search, three plastic bags concealed under a plastic sheet were recovered from the tool box made in the cabin of the truck. On opening the same, they were found to be containing

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total 450 grams of opium and 56 kgs of poppy straw. The recovered contraband was taken into possession. The petitioner and co-accused were formally arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. He is in custody since long. Trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. He has clean antecedents. Therefore, it is urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel while referring to the status report, has vehemently argued that the allegations against the petitioner are serious in nature. Commercial quantity of poppy straw and non-commercial quantity of opium was recovered from joint possession of the petitioner and the co-accused. The trial has commenced and there is nothing on record to show that there would be any undue delay in conclusion of the same. The rigors of Section 37 of NDPS Act are attracted in this case. Therefore, it is argued that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner along with the co-accused was found in conscious possession of commercial quantity of poppy straw and non-commercial quantity of opium. The allegations against him are specific and serious in nature. The rigors of Section 37 of NDPS Act are obviously attracted in this

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case. Trial has commenced. Taking into consideration the above discussed facts, this Court is of the considered opinion that no compelling ground for grant of bail is made out in favour of the petitioner. Accordingly, the petition is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

19th February, 2026
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |