



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.117

CRM-M-71316-2025
Date of Decision: 06.03.2026

DEEPAK ALIAS BHOLU ...Petitioner

Versus

STATE OF HARYANARespondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Kuldeep Singh, Advocate for
Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G. Haryana and
Ms. Jasmine Gill, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. The present is the first petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No. 184 dated 14.06.2025, registered under Sections 20(b)(ii)(B) and 60 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station IMT, Rohtak, District Rohtak (Haryana).
2. As per the case of the prosecution, on 14.06.2025, on the basis of a secret information received by the police that the petitioner Deepak @ Bholu was indulging in selling narcotic substances and was coming on his scooty from Sampla to Rohtak, the police party laid a naka under the bridge near Kharawar Hanuman Temple, falling within the jurisdiction of Police Station IMT, Rohtak. During the naka, the petitioner was apprehended and upon search, 2 kilograms of Ganja was allegedly recovered from his



conscious possession. On the basis of the said recovery, the present FIR was registered and the petitioner was arrested. During investigation, a mobile phone was also recovered from the possession of the petitioner and on checking the said phone, the Investigating Officer found the mobile number of one Paro, resident of Najafgarh, Delhi saved therein. Thereafter, the petitioner allegedly suffered a disclosure statement and in pursuance thereof pointed out the house of the said Paro from where he had allegedly purchased the contraband.

3. It is argued by learned counsel for the petitioner that the alleged recovery effected from the petitioner falls within the category of non-commercial quantity and therefore the rigours of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 are not attracted in the present case. Learned counsel further submits that the co-accused namely Anita, whose name had surfaced in the disclosure statement, has already been granted the concession of anticipatory bail. It is further argued that the investigation in the present case stands completed and the challan has already been presented before the learned trial Court. Charges have also been framed and the prosecution witnesses are yet to be examined. Learned counsel submits that the petitioner is in custody since 14.06.2025, i.e. for the last about eight months and twenty days and the trial of the case is likely to take a considerable time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars any further and he deserves to be released on bail.



4. On the other hand, learned State counsel has opposed the present petition and submitted that there are serious allegations against the petitioner. It is contended that out of total 22 prosecution witnesses cited by the prosecution, only one witness has been examined so far and 21 witnesses are yet to be examined. It is further argued that if the petitioner is released on bail at this stage, he may influence the witnesses and hamper the trial. Therefore, prayer has been made for dismissal of the present bail petition.

5. I have heard learned counsel for the parties and have gone through the record of the case. In the present case, the alleged recovery effected from the petitioner is of non-commercial quantity and thus the rigours of Section 37 of the NDPS Act are not applicable. It is also a matter of record that the petitioner is in custody since 14.06.2025 and has undergone custody for more than eight months. The investigation in the present case stands completed and the challan has already been presented. Charges have also been framed, however out of 22 prosecution witnesses only one witness has been examined so far and the remaining witnesses are yet to be examined. Thus, the conclusion of the trial is likely to take a considerable time. In these circumstances, the continued incarceration of the petitioner would serve no useful purpose.

6. Keeping in view the aforesaid facts and circumstances, this Court deems it appropriate to allow the present petition. Consequently, the present petition is allowed and the petitioner Deepak @ Bholu is ordered to be released on regular bail during the pendency of trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the learned trial



Court/Illaq Magistrate concerned. However, nothing observed herein shall be construed as an expression of opinion on the merits of the case.

7. However, nothing observed herein shall be construed as an expression of opinion on the merits of the case.

8. All pending applications, if any, also stand disposed of.

06.03.2026
Anu

(MANDEEP PANNU)
JUDGE

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