



CRM-M-23498-2025

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

290

CRM-M-23498-2025 (O & M)

Date of decision: 23.09.2025

TARIF

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Afjal Hussain, Advocate,
for the petitioner.

Mr. Parmod Kumar, AAG, Haryana.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.133 dated 02.09.2022, registered under Section 20 of NDPS Act (Sections 420, 467, 468, 471, 259, 260 and 263 IPC added later on), at Police Station Bahin, District Palwal.

2. Learned counsel contends that the petitioner has been in custody for 10 months. He alleges false implication. The allegation against the petitioner is of having picked up co-accused Junaid alias Juned, who had facilitated to bring contraband from Andhra Pradesh, which was recovered from co-accused Shokeen. Both the aforesaid co-

CRM-M-23498-2025

accused have since been granted bail, vide orders dated 22.09.2025 and 07.07.2025. No recovery has been effected from the petitioner. 16 witnesses, out of 20, still remain to be examined. He is not involved in any other case.

3. The custody certificate dated 22.09.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 10 months.

4. Learned State counsel opposes the bail on the ground that the petitioner had picked up the co-accused, who got the contraband loaded from Andhra Pradesh. However, he is unable to controvert the submissions with regard to stage of the case; the petitioner being not involved in any other case and the co-accused having been enlarged on bail.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 10 months; not involved in any other case; the co-accused have been granted bail; out of 20 prosecution witnesses, only 4 have been examined; the trial is likely to take a considerable time, and further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial

CRM-M-23498-2025

Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and

CRM-M-23498-2025

would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

23.09.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No