



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

214

**CRM-M-44434-2024
Date of Decision: 16.09.2025**

GURDASS

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Tanvir S. Grewal, Advocate for the petitioner.

Mr. Ved Prakash, Sr. DAG, Haryana.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 439 of Cr.P.C in case FIR No. 0072 dated 19.03.2023 under Sections 279/336/420/427 IPC and Sections 15(c) and 17 of NDPS Act registered at Police Station Civil Line Jind, District Jind, Haryana.

2. The case of the prosecution is that petitioner was apprehended by police official with Fortuner car bearing Registration No. HR-26CD-8786 and 370 grams of opium, 23 plastic bags containing 335 Kgs 200 grams Dodapost along with two fake number plates and Rs. 35,000 were recovered from the Fortuner vehicle.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case as the petitioner is mere driver of the



car. He has no knowledge about the contraband in the car. He further submits that bailable warrants have been issued by the Court to ensure the petitioner's presence; however, only one witness has been examined till date, despite all the witnesses being official.

4. Learned State counsel has opposed the prayer made by the learned counsel for the petitioner. He has filed the custody certificate of the petitioner in the Court today and the same is taken on record. As per custody certificate, the petitioner is in custody for the last 02 years 05 months and 21 days. He further submits that challan was filed on 14.09.2023; charges were framed on 12.04.2024 and out of 34 cited prosecution witnesses only one has been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. Keeping in view the fact that the petitioner is in custody for more than 02 years 05 months and 21 days and the trial is not proceeding due to laxity of the prosecution, therefore, the continuous detention of the petitioner would not serve the ends of justice, therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the



satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

16.09.2025

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**(H.S.GREWAL)
JUDGE**

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