



CRM-M No. 21030 of 2025 1

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

205

CRM-M No. 21030 of 2025 (O&M)  
Date of Decision: 16.05.2025

Aysha @ Ashu @ Aysha Sayyad

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

**Present:** Mr. Balvinder Sangwan, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

\*\*\*\*

**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No. 36 dated 09.02.2025 (P-1), under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act')[Section 29 of NDPS Act added later on], registered at Police Station Sarai Khwaja, District Faridabad.

2. Learned State counsel has produced custody certificate dated 14.05.2025 and the same is taken on record.

Registry to tag the same at appropriate place.

3. Allegations are that co-accused Rubel Islam was apprehended with 1 Kg. 210 grams of *Ganja* (non-commercial quantity) and petitioner's name surfaced in the disclosure of said co-accused.

4. Contends that petitioner is in custody since 11.02.2025; final report under Section 193 of BNSS has already been presented on

**CRM-M No. 21030 of 2025 2**

05.04.2025; charges were framed on 03.05.2025; but out of total 15 prosecution witnesses, none has been examined till date. Specifically contends that petitioner was not named in the FIR; rather nominated on the basis of disclosure of co-accused, namely, Rubel Islam from whom alleged recovery of 1 Kg. 210 grams of *Ganja* (non-commercial quantity) was effected. Lastly contended that conclusion of trial will take sufficient long time; thus, further incarceration of the petitioner would not serve any purpose.

5. *Per contra*, learned State counsel vehemently opposed the prayer while submitting that allegations against the petitioner are serious in nature; hence, he does not deserve the concession of bail pending trial.

6. Heard and perused the paper-book.

7. Concededly, petitioner is in custody since 11.02.2025; final report under Section 193 of BNSS was presented on 05.04.2025; charges have been framed on 03.05.2025; but out of total 15 prosecution witnesses, none has been examined till date. As the conclusion of trial is likely to take sufficient long time; therefore, further incarceration of the petitioner would not serve any purpose.

8. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations be not construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is recurrence or any misuse of



**CRM-M No. 21030 of 2025 3**

concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

**16.05.2025**

Rajeev (rvs)

**(MAHABIR SINGH SINDHU)**

**JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No