



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

239

CRM-M-32653-2025
Decided on : 23.07.2025

Noop Ram . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sandeep Saini, Advocate
for the petitioner(s).

Mr. Sunny Namdev, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Noop Ram	215	06.09.2024	20(b) of NDPS Act, 1985	GRP Ambala Cantt.	Ambala

2. On the basis of secret information, petitioner – Noop Ram, aged 27 years, was intercepted and from the backpack carried by him, recovery of 1 Kg. 112 Grams was effected on 06.09.2024.

3. Learned counsel for the petitioner submits that since the time of recovery, petitioner is inside jail and till date, despite completion of investigation, and submission of challan, process of recording of statements of the prosecution witnesses has yet to start, because charges even have not been framed. Recovered quantity is only 112 Grams more than the



maximum of the 'non-commercial' quantity, i.e., 1 Kg. Thus, same being in the category of 'intermediate quantity', would be relevant at the time of considering the sentence period, if at all petitioner is found guilty of commission of the alleged crime.

4. Learned counsel further argues that petitioner is not even found involved in any other similar activity. However, there is a case under the POCSO Act, in which, petitioner has already been bailed out. Petitioner being inside jail in the present case for a period of 10 months and 12 days, prays for grant of concession of regular bail.

5. On the other hand, learned State counsel has filed the custody certificate dated 22.07.2025 in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

6. While opposing the prayer of bail, learned State counsel submits that in any case, the contraband recovered from the petitioner falls within the ambit of 'commercial' quantity, and therefore, argument addressed by petitioner's counsel is misconceived. However, he does not dispute that contraband recovered is only 112 Grams above the maximum of 'non-commercial' quantity, which is marginal above.

Besides, learned State counsel is unable to controvert any of the factual submissions regarding the case or the status of the proceedings, as stated and recorded here-above.

7. Considering the factors that the petitioner is inside jail, for the last 10 months and 12 days, and is not involved in any other case of similar nature, and only one prosecution witness has been examined till date, as well as the



fact that the recovery of contraband, i.e., Charas, weighing 1 Kg 112 Grams, is slightly more than the maximum limit of 'non-commercial' quantity, this Court deems it appropriate to consider the plea of bail of the petitioner.

8. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

12. Petition stands **disposed of**.

(SANJAY VASHISTH)
JUDGE

July 23, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No