

HRNU001005882-2026

BA-1904-2026

Mohd. Danish Versus State of Haryana

FIR No. 64 dated 17.06.2026

Under Sections : 20B(ii)(C), 29-61-85 NDPS Act and 318(2), 338,
336(3), 340(2) BNS

Police Station : City Punhana

Present: Shri Mubeen Ahmed, Advocate for petitioner-accused Mohd. Danish.

Shri J. S. Dhankhar, Public Prosecutor for the respondent-State.

ORDER

Prosecution has filed fresh status report. Along with the report copy of FSL report dated 19.08.2026 placed on record., Same has been perused. Observations in FSL report are as under:

“Observations:-

- *The tests were positive for the presence of Tetrahydrocannabinol, Cannabinol and Cannabidiol in the samples (1 to 300).*

Opinion:

Cannabinoids {Tetrahydrocannabinol (THC), Cannbinol (CBN) and Cannabidiol (CBD)} were detected in samples (1 to 300)”.

2. Ld. Counsel for accused submitted that contraband is *bhang* which is not included in definition of cannabis as held in **Jangir Singh Vs. State of Punjab, 2019(1) RCR (Criminal) 824 (P&H)**. He argued that applicant has been named in disclosure statement of co-accused. He is neither owner of the vehicle nor contraband belong to him.

3. On other hand, learned Public Prosecutor submitted that in accordance with report of FSL the contraband would now fall within psychotropic substances. He drew my attention to schedule under NDPS Act saying that *Tetrahydrocannabinol* is a psychotropic substance including therein. Same substance was found in the samples. Thus, I.O. has been advised that now the case falls within ambit of section 22(c) NDPS Act.

Sandeep Chauhan
ASJ, Nuh/20.08.2026

4. Having heard rival contention raised by learned counsels, the time when interim bail was granted to accused vide order dated 16.07.2026, prosecution agency was itself not sure whether contraband is *bhang* or not. Thus, considering law in **Jangir Singh case (supra)**, pending FSL report he was ordered not to be arrested but now FSL report has been received and psychotropic substance listed within schedule namely *Tetrahydrocannabinol* has been found in all 300 samples. The quantity in this case is commercial which rigours section 37 apply. Nothing could be brought by the accused before this court to take him out of preview of section 37 NDPS Act.

5. As such, considering overall facts and circumstance as well as FSL report placed on record today, present application for grant of anticipatory bail stands **dismissed**.

File be consigned to records after due compliance.

(Sandeep Chauhan)
Additional Sessions Judge,
Nuh–UID No. HR0271
20.08.2026

(Sourabh Swami, SG. II)