



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. _____ OF 2026
(@SLP(CRL.) NO.1428 OF 2026)**

HEM RAJ

APPELLANT(S)

VERSUS

**STATE OF HIMACHAL
PRADESH**

RESPONDENT(S)

ORDER

1. Heard.

2. Leave granted.

3. The appellant who was prosecuted for the offences punishable under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act) was sentenced to 10 years rigorous imprisonment and in the appeal filed he sought for suspension of sentence and grant of bail premising his argument on the ground that hearing of appeal is likely to take long and he has already undergone almost 50% of the sentence imposed on him.

4. Having heard the learned counsels appearing for the parties, we notice that appellant came to be convicted on 23.09.2023 against

which an appeal has been filed before the jurisdictional High Court and same is pending. The application for suspension of sentence and grant of bail having been rejected and the chances of the Criminal Appeal No.504/2023 being heard and disposed of in the near future, being bleak or remote and appellant having already undergone sentence of about 4 years 7 months i.e., substantial part of the sentence, we are of the considered view that appellant is entitled for the relief sought for.

5. Hence, appeal is allowed. Impugned order is set aside. Sentence imposed by the judgment dated 23.09.2023 (arising out of FIR No.75/2017) stands suspended and the appellant is ordered to be enlarged on bail on such terms and conditions as the jurisdictional trial court may deem fit to impose.

6. Pending application(s), if any, shall stand disposed of.

.....J.
(ARAVIND KUMAR)

.....J.
(PRASANNA B. VARALE)

New Delhi;
April 13, 2026

ITEM NO.9

COURT NO.16

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.)
No(s). 1428/2026

[Arising out of impugned final judgment and order
dated 22-12-2025 in CRMP No. 4583/2025 passed by the
High Court of Himachal Pradesh at Shimla]

HEM RAJ

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH

Respondent(s)

IA No. 25160/2026 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT

Date : 13-04-2026 This matter was called on for
hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :Mr. Ajay Marwah, AOR
Mr. Swaroopanand Mishra, Adv.
Mr. Mrigank Bhardwaj, Adv.
Ms. Dhriti Sharma, Adv.
Mr. Rahul Kumar, Adv.
Mr. Raviddep Badyal, Adv.
Mr. Rohan Mazumdar, Adv.

For Respondent(s) :Mr. Vivek Kumar, Adv.
Mr. Abhishek Gautam, AOR
Mr. Shubham Soni, Adv.
Ms. Dhanashri S Madhale, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

- 1. Leave granted.**
- 2. Appeal is allowed in terms of the Signed Order which is placed on the file.**
- 3. Pending application(s), if any, shall stand disposed of.**

**(RASHI GUPTA)
COURT MASTER (SH)**

**(AVGV RAMU)
COURT MASTER (NSH)**