



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No(s). 1809/2026
@SLP(CrI) No. 2113/2026

LUXMI DUTT ALIAS LAXMI DUTT ALIAS LAKSHMI DUTT Appellant(s)

VERSUS

STATE OF HIMACHAL PRADESH Respondent(s)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties.
3. This appeal arises from an order dated 05.01.2026 passed by the High Court of Himachal Pradesh at Shimla rejecting the regular bail prayer of the appellant in connection with FIR No. 174/2024, registered at P.S. Sadar Nahan, District Sirmaur, H.P.
4. The submission of the learned counsel for the appellant is that by showing recovery of 1.156 kg of charas from a bag alleged to be with the appellant, he has been implicated under the provisions of the Narcotic Drugs

and Psychotropic Substances Act, 1985. It has been submitted that he has suffered incarceration since 17.12.2024 and the trial is not likely to be concluded in near future. He, further, submits that he has no previous criminal antecedents though, he was tried for one case wherein he was acquitted. In such circumstances, it has been submitted, the appellant is entitled to be released on bail.

5. The learned Counsel for the State-respondent has opposed the prayer for bail but could not dispute that the appellant has suffered incarceration for a period of about 16 months. He could also not dispute that trial is not likely to conclude in near future.

6. Having regard to the above, without expressing any opinion on the merits of the prosecution case, we are of the view that the appellant is entitled to be released on bail at this stage.

7. Accordingly, the appeal is allowed. The order passed by the High Court rejecting the regular bail prayer of the appellant is set aside.

8. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case.

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

.....J
[MANOJ MISRA]

.....J
[UJJAL BHUYAN]

New Delhi;
April 08, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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STATE OF HIMACHAL PRADESH Respondent(s)

IA No. 38001/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 38002/2026 - EXEMPTION FROM FILING O.T.

Date : 08-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) :

Mr. Ajay Marwah, AOR
Mr. Swaroopanand Mishra, Adv.
Mr. Mrigank Bhardwaj, Adv.
Ms. Dhriti Sharma, Adv.
Mr. Rahul Kumar, Adv.
Mr. Rohan Mazumdar, Adv.

For Respondent(s) :

Mr. Anukirat Singh, Adv.
Mr. Ayush Panwar, Adv.
Mr. Altamash Rashid, Adv.
Mr. Bhupender Yadav, Adv.
Mr. Vivek Mishra, Adv.
Ms. Neelam Singh, AOR
Mr. Sameer Singh, Adv.

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

1. Leave granted.
2. The appeal is allowed in terms of the

signed order placed on the file.

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

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)