



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). OF 2026
(@ SPECIAL LEAVE PETITION (CRL.) NO(S).10760 OF 2026)

AVIKASH MINHAS

APPELLANT

VERSUS

STATE OF HIMACHAL PRADESH

RESPONDENT

O R D E R

Leave granted.

This appeal challenges the judgment and order dated 06.05.2025 passed by the High Court of Himachal Pradesh at Shimla, in CrI.MP (M) No. 2836 OF 2024.

The appellant has been facing trial in connection with a crime registered pursuant to FIR No. 83 of 2023 dated 25.09.2023 lodged with Police Station Panchrukhi, District Kangra in respect of offences punishable under Sections 20, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The application seeking regular bail having been rejected by the High Court *vide* impugned order

dated 06.05.2025, the appellant has preferred the instant appeal.

This Court *vide* its order dated 27.05.2026, issued notice in the instant matter.

Heard learned counsel for the appellant in support of the appeal and learned counsel for the respondent and perused the material on record.

Learned counsel for the appellant submitted that the appellant has been in jail since 25.09.2023; there has been substantial progress in the trial inasmuch as ten out of twenty witnesses have been examined; two other co-accused have been granted regular bail. Therefore, this Court was pleased to issue notice to the respondents in order to ascertain whether on the principle of parity this appellant also could be granted a similar relief. He submitted that the appeal may be allowed and the appellant may be released on bail subject to the conditions that may be imposed.

Per contra, learned Additional Advocate General appearing for the respondent-State vehemently contended that the role of the petitioner herein is quite distinct as compared to

the role of the two other co-accused; that since already ten out of twenty witnesses have been examined, this court may direct for expeditious conclusion of the trial and no relief may be granted to the appellant herein. He therefore submitted that the appeal may be dismissed. He also submitted that the appellant has been involved in two other cases and hence, no relief should be granted to the appellant herein.

Considering the facts on record, in our view, the case for regular bail is made out.

We, therefore, allow this appeal and direct as under:

"The appellant shall be produced before the concerned Trial Court as early as possible and the Trial Court shall release him on bail, subject to such conditions as it may deem appropriate to impose to ensure his presence in the proceedings arising out of FIR No.83 of 2023 mentioned above."

It is directed that the appellant shall extend complete cooperation in the trial of the instant case. The appellant shall not misuse his liberty in any manner.

Any infraction of the conditions may entail
cancellation of bail granted to the appellant.

With these observations, the appeal is
allowed.

....., J
(B.V. NAGARATHNA)

....., J
(JOYMALYA BAGCHI)

NEW DELHI
JUNE 22, 2026

ITEM NO.1

COURT NO.2

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).10760/2026

[ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED
06-05-2025 IN CRMPM NO.2836/2024 PASSED BY THE HIGH COURT
OF HIMACHAL PRADESH AT SHIMLA]

AVIKASH MINHAS

PETITIONER(S)

VERSUS

STATE OF HIMACHAL PRADESH

RESPONDENT(S)

FOR ADMISSION AND I.R.

IA NO. 160959/2026 - CONDONATION OF DELAY IN FILING

IA NO. 160960/2026 - CONDONATION OF DELAY IN REFILING /
CURING THE DEFECTS

IA NO. 160956/2026 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT

IA NO. 160958/2026 - EXEMPTION FROM FILING O.T.

Date : 22-06-2026 This matter was called on for hearing
today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
(PARTIAL COURT WORKING DAYS BENCH)

For Petitioner(s) : Mr. Ajay Marwah, AOR
Mr. Mrigank Bhardwaj, Adv.
Mr. Swaroopananda Mishra, Adv.

For Respondent(s) : Mr. Shivanshu Bhardwaj, AAG
Mr. A.Mudgal, Adv.
Mr. Jagriti Singh, AOR

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

Leave granted.

Appeal is allowed in terms of the signed order, which is placed on file.

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

(B. LAKSHMI MANIKYA VALLI)
COURT MASTER (SH)

(DIVYA BABBAR)
COURT MASTER (NSH)