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

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**CRM-M-34901-2025 (O&M)
Date of decision: 22.08.2025**

Nicklavya Nardeekshkar Chandhar @ Niklavya @ Nishant ...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Navraj Singh, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 20 dated 18.03.2025, registered under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Pojewal, District SBS Nagar.

2. Brief facts of the case relevant for the disposal of the present petition are that on 18.03.2025, the petitioner was apprehended by a police party and recovery of 40 intoxicating tablets of Etizolam was effected from him. Since he could not produce any valid license or permit to keep in his possession the recovered drug, he was formally arrested at the spot. Upon interrogation, he disclosed that the recovered contraband was purchased by him from one Sandeep @ Deepa. The said person was also nominated in this case. After completion of necessary investigation and usual formalities,

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challan was presented in the Court and presently, the petitioner is facing trial for commission of aforesaid mentioned offences.

3. Learned counsel for the petitioner has submitted that he has been falsely implicated in this case. In fact, a false recovery was planted upon him. Moreover, the quantity of the recovered contraband does not fall under NDPS Act. Hence, the bar under Section 37 of the NDPS Act is not attracted at all. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 18.03.2025. He has clean antecedents and is not involved in any other case. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report along with the custody certificate of the petitioner has been filed by the respondent-State. It is argued by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner is in custody since 18.03.2025. As per FSL report, the quantity of the contraband allegedly recovered from him does not fall under commercial quantity. The petitioner is not shown to be involved in any other case under NDPS Act. Investigation stands completed and *challan* has been filed. Conclusion of trial would take considerable time. Keeping in view the aforesaid facts, I am of the considered opinion that no useful

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purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

22.08.2025*Waseem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*