



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

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**CRM-M-25767-2025 (O&M)
Decided on : 10.07.2025**

Arjun Kumar

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Lovepreet Singh, Advocate,
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Arjun Kumar	68	01.05.2024	27-A, 29 of NDPS Act, 1985	Dinanagar	Gurdaspur

2. As per the allegations leveled by the prosecution against the petitioner, he was traveling in a bus, and upon being checked, a kit bag was found belonging to the petitioner – Arjun Kumar. Said bag was searched by the police when the petitioner alighted from the bus, resulting in the recovery of currency notes amounting to Rs.3.00 lakh. Upon inquiry, petitioner disclosed that the said money was the sale proceeds of 'Heroin,' which he had sold to someone in Jammu. It was also disclosed that 'Heroin' had been delivered to him (Arjun Kumar) by one Bahadur Singh of Tarn Taran for further delivery in Jammu.

3. Learned counsel for the petitioner contends that except for the aforesaid disclosure statement, the prosecution does not have any other evidence to establish a link between the recovered currency notes and the



un-recovered contraband, i.e., Heroin. Learned counsel further submits that the petitioner has been in custody for about 1 year and 3 months, and till date, no prosecution witness has been examined before the trial Court.

Additionally, learned counsel fairly admits that petitioner is involved in two other NDPS cases, but in the both cases, petitioner is already on bail. Rather, police has involved him in the present case, because, he was known to the police officials, and to put him back again in the jail, he has been involved in the instant case falsely. In view of the absence of any progress in the trial, learned counsel submits that the liberty of the petitioner cannot be curtailed for an indefinite period. Thus, he prays for grant of regular bail to the petitioner.

4. On the other hand, while vehemently opposing the prayer for bail, learned State counsel does not dispute the factual position as explained by the petitioner's counsel, but expresses his inability to confirm the status of the trial as stated. However, keeping in view the nature of allegations and the fact that the petitioner has been previously involved in similar offences, learned State counsel submits that the petitioner does not deserve the concession of regular bail.

5. I have heard learned counsel for the parties and perused the relevant material available on record.

6. While considering the plea for bail, this Court is conscious of the fact that about 7 months ago, i.e., on 10.12.2024, petitioner's earlier petition for grant of regular bail (CRM-M-39113-2024) was dismissed by noticing that investigation had been completed. However, it is also relevant that despite completion of investigation, in the last about 7-8 months, not even a single prosecution witness has been examined. In such circumstances, the petitioner cannot be compelled to remain inside jail for an indefinite period. Therefore, this Court deems it appropriate to consider the present plea of the petitioner for grant of regular bail.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in



any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands **disposed of**.

(SANJAY VASHISTH)
JUDGE

July 10, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No