

CRM-M-42135 of 2025 [1]

2025.PHHC:103080



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

**220**

**CRM-M-42135 of 2025  
Decided on : 08.08.2025**

**Sourabh Kumar @ Sorab**

**.....Petitioner**

**Versus**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Gagandeep Behla, Advocate,  
for Mr. R.S. Dhillon, Advocate,  
the petitioner.

Mr. B.P. Singh, AAG, Punjab.

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**SANJAY VASHISTH, J.**

1. Present petition has been filed by the petitioner under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking regular bail, in case, FIR No.24 dated 23.03.2025, under Sections 21 and 29 of NDPS Act, registered at Police Station Tapa, District Barnala.

2. Counsel for the petitioner contends that case of the prosecution is that there was a secret information with the Police Patrolling Party that main accused-Mandeep Singh @ Babbu used to buy narcotic substances (heroin) at cheap rates from Sourabh Kumar @ Sorab (petitioner herein).

As per secret informant, accused-Mandeep Singh @ Babbu was seen riding a vehicle bearing Registration No. HR-51-AR-1376, make Swift Dzire and if same is checked, said accused may be arrested.



**CRM-M-42135 of 2025** [2]

3. Counsel for the petitioner argues that after affecting arrest of the said accused – Mandeep Singh @ Babbu, police allegedly recovered 50 grams of heroin from the car and petitioner was arrested subsequently on 13.05.2025, though, nothing was recovered from the possession of the petitioner.

Moreover, he is stated to have been inside the jail, since 13.05.2025. Thus, learned counsel for the petitioner prays for grant of regular bail to the petitioner in the present case.

4. On advance notice, Mr. Amish Sharma, AAG, Haryana, puts an appearance on behalf of the respondent/State, and produces custody certificate dated 07.08.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

5. As per the custody certificate, petitioner has already undergone a period of 02 months and 25 days, inside jail, and there are other cases registered against him, details of which is as under:-

<b>Sr. No.</b>	<b>Date of case (FIR No., dated, Section, Police Station, District</b>	<b>Status of Case (Trial pending or concluded or yet to commence)</b>	<b>Remarks (in jail, Undergone, Acquitted, on bail)</b>
1.	FIR No. 50/2025 dated 06/05/2025 u/s 22-61-85 NDPS Act, PS Tapa, Barnala	Pending	Yes.
2.	FIR No.117/2025 dated 03/11/2021 u/s 61 of the Excise Act, PS Tapa, Barnala	Released on 09.01.2023	probation on



6. Learned State Counsel is not in a position to counter any of the factual submissions made by counsel for the petitioner and rather, confirms that petitioner has never been convicted in any of the case, instead of one more case (as indicated hereinabove), but in the said case, petitioner has already been released on bail. He also confirms the release of the petitioner on probation, in the case registered against him under the Excise Act.

7. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance as well as the custody certificate, and keeping in view the fact that petitioner is inside jail, since 02 months 25 days, and recovery in this case is 50 grams of heroin, that too, from the other accused, this Court does not find any substantial reason to curtail the personal liberty of the petitioner for any indefinite period.

8. Therefore, 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.

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

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case.

**CRM-M-42135 of 2025** [4]

2025.PHHC:103080



Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. 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.

12. Petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**08.08.2025**  
Sumit Gusain

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**