

CRM-M-21967-2025 (O&M)

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

S.No.216

CRM-M-21967-2025 (O&M)
Date of Decision : 18.8.2025

Akash Kumar alias Rahul

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

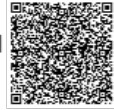
Present: Mr. R.S.Chaudhry, Advocate with
Mr. Sameydeen, Advocate,
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

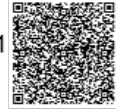
Prayer in the present 2nd petition is for grant of regular bail to the petitioner in case having FIR No.140 dated 4.12.2023 registered under Sections 22-C, 29 of NDPS Act at Police Station 'D' Division, District Police Commissoinerate, Amritsar.

2. As per allegations in the FIR, two persons were apprehended on 4.12.2023 while travelling on a scooty. The same was being driven by Prince Kumar while Baljinder Singh was riding the pillion. 29 boxes of Tramadol each box containing 50 strips and each strip containing 10 intoxicating tablets and total 14500 tablets were recovered from them. They disclosed



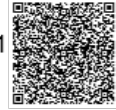
CRM-M-21967-2025 (O&M)

that they had purchased the contraband from one Major Singh who is confined in jail. Accused Baljinder Singh further disclosed that he had given 10 boxes of tablets to Akash Singh on the direction of co-accused Major Singh. Thereafter, Akash Singh was arrested on 5.12.2023 but no contraband was recovered from his possession. However, he suffered a disclosure statement to the effect that he had handed over 5 boxes of tablets to Mohar Singh @ Sunny on the direction of Major Singh. He further made another disclosure statement to the effect that he had handed over 2 more boxes to Surjit Singh. Thereafter, Mohar Singh was arrested on 6.12.2023 and Surjit Singh was arrested on 7.12.2023. Said Major Singh disclosed that he runs the business of sale of intoxicating tablets from jail along with his accomplice Gurpreet Singh and he nominated Rashpal Singh and Karanjit Singh as accused. On 11.12.2023, co-accused Gurpreet Singh was arrested and on the disclosure statement of Gurpreet Singh, one Sachin Kumar was arrested on 18.12.2023 who was owner of Elichem Pharma firm. Thereafter, on the disclosure statement of Sachin, accused Yogesh Kumar, Akash Kumar @ Rahul-petitioner and Chander Kanta were arrested on 19.12.2023, 18.12.2023 and 19.12.2023 respectively. The alleged contraband was purchased from Gloss Pharmaceuticals Private Limited owned by Rekha Vashisht and Manish Vashisht who were also arrested on 21.12.2023 and huge quantity of tablets were recovered from them. After completion of investigation, challan has been presented on 30.5.2024 and now the trial is pending before the learned trial Court.



CRM-M-21967-2025 (O&M)

3. Learned counsel for the petitioner argued that one Baljinder Singh was arrested by the police on 4.12.2023 along with 14500 tablets of Tamadol and he nominated Akash Singh as accused who was also arrested on 5.12.2023 but nothing was recovered from his possession. Said Akash Singh nominated Mohar Singh and Surjit Singh as co-accused, to whom, he allegedly sold 5 boxes and 2 boxes of Tamadol respectively. Said Mohar Singh and Surjit Singh were also arrested and thereafter, accused Major Singh had suffered disclosure statement and nominated Rashpal Singh and Karanjit Singh as co-accused. One Gurpreet Singh was arrested on 11.12.2023 and on his disclosure statement, one Sachin Kumar was arrested on 18.12.2023 who was owner of Elichem Pharma firm and he has been released on bail by this Court vide order dated 27.3.2025. Learned counsel further contended that said Sachin Kumar nominated Yogesh and petitioner-Akash Kumar as co-accused and he was arrested on 18.12.2023 and 18000 tablets were allegedly recovered from his possession. Learned counsel further contended that co-accused/Baljinder Singh, from whom 14500 tablets were recovered, has already been released on bail by this Court vide order dated 16.7.2025. The petitioner, who is in custody since 18.12.2023, is, thus, entitled to be released on bail on the ground of parity. Learned counsel further contended that investigation has already been completed and final report under Section 173 Cr.P.C. has been presented and trial is not likely to be concluded soon. Only 3 witnesses out of 34 prosecution witnesses have been examined till date. Culpability, if any, shall be



CRM-M-21967-2025 (O&M)

determined at the time of the trial and further detention of the petitioner is, thus, not required and he may be released on bail.

4. On the other hand, learned State counsel has opposed the bail and argued that the petitioner had committed heinous offence and he does not deserve the concession of bail.

5. I have heard the learned counsel for the petitioner as well as the learned State counsel and have gone through the material collected by the police during investigation.

6. Co-accused/Baljinder Singh has already been released on bail whose case is identical to that of the petitioner. Investigation has already been completed and challan has been presented. Till date, only 3 witnesses out of 34 witnesses cited by the prosecution have been examined and the trial is likely to take sufficiently long time to conclude. The petitioner is in custody since 18.12.2023 and further detention of the petitioner is, thus, not required and he deserves bail on the ground of parity.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**(YASHVIR SINGH RATHOR)
JUDGE**

August 18, 2025

Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No