



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

238

CRM-M-50809-2025  
Decided on : 16.09.2025

Raj Kumar . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

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

PRESENT: Mr. G.S. Dhindsa, Advocate  
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

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**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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Raj Kumar	172	24.07.2025	20, 21-61-85 of NDPS Act	Division No.6	Ludhiana

2. As per allegations, petitioner is found in possession of 200 grams of 'Ganja', which is less than the notified small quantity of 1.00 kg, and much below the commercial quantity of 20.00 kg, as per the schedule under the NDPS Act, 1985.

3. Learned counsel for the petitioner submits that apart from 200 grams of 'Ganja', 50 loose tablets were also recovered. However, it has not been confirmed through FSL report whether the said tablets are psychotropic/intoxicating substances covered under the NDPS Act. Further, petitioner is in custody from the date of registration of FIR, i.e., for about 01



month and 19 days. Investigation is still in progress. Looking at the quantity of contraband allegedly recovered, coupled with the fact that the petitioner is a young boy of 20 years and is not found involved in any other similar case, learned counsel prays for the concession of regular bail to the petitioner.

4. On the other hand, learned State counsel has filed custody certificate dated 15.09.2025, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

5. While vehemently opposing the prayer for bail, learned State counsel submits that in view of the recovery of narcotic contraband (though small quantity), petitioner is not entitled to the concession of regular bail without first establishing his innocence.

However, on being asked by the Court, he fairly conceded that except present case, petition is not found involved in any other similar activity. He is inside jail for about 01 month and 19 days, and till date, none of the witnesses has been examined, as the investigation is still going on.

6. Having heard learned counsel for the parties and upon perusal of the record, it is noticed that the recovery effected from the petitioner is of 200 grams of 'Ganja', which falls below the notified small quantity under the NDPS Act, 1985. The allegation regarding recovery of 50 tablets is still subject to confirmation, as the FSL report is awaited. Petitioner is a young boy of the age of about 20 years and also first-time offender, who has been in custody for about 01 month and 19 days. Investigation is still in progress, and no prosecution witness has yet been examined.

7. In these circumstances, further incarceration of the petitioner for



an indefinite period is not warranted, particularly when he is not found involved in any other case of similar nature. This Court would prefer to offer a chance to the petitioner to rehabilitate himself in the society and to join normal course of life, instead of detaining him for longer period inside jail. Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

8. Accordingly, 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. 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.

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

September 16, 2025

*J.Ram*

*Whether speaking/reasoned: Yes/No*

*Whether Reportable: Yes/No*