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

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CRM-M-30162-2025 (O&amp;M)

Date of decision: 02.07.2025

**Ankush Kumar****...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Pushp Jain, Advocate  
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

**MANISHA BATRA, J. (Oral)**

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 31 dated 09.04.2025, registered under Sections 21, 25 and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Baretta, District Mansa.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 09.04.2025, the petitioner and co-accused Shubham Kumar, while sitting in a car bearing registration number PB-50-B-0851, were apprehended by a police party and recovery of 10 grams of heroin was effected from them. Both of them were formally arrested at the spot. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with co-accused is facing trial for commission of aforementioned offences. He had moved an application before the trial Court for grant of regular bail but the same had been dismissed, vide order dated 20.05.2025.

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3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. The alleged quantity of the recovered contraband does not fall under commercial quantity. Though the petitioner has falsely been implicated in two more cases of similar nature but that alone cannot be a ground to deny him the benefit of bail. Even otherwise, investigation has since been completed and challan has been presented. Conclusion of trial is likely to take time. Similarly situated co-accused Shubham Kumar has already been granted concession of regular bail by the learned trial Court, vide order dated 22.05.2025. On the grounds of parity, the petitioner too deserves the same benefit. No useful purpose would be served by detaining him into custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Learned Assistant Advocate General, Punjab, who has advance notice of the petition and is ready to argue the matter, has filed the custody certificate of the petitioner. She has opposed the prayer of the petitioner on the ground that the petitioner is involved in two other cases of similar nature and if he is released on bail, he can abscond or indulge in similar offences. 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 gone through the record carefully.

6. Admittedly, the quantity of the contraband, being 10 grams, does not fall under commercial quantity. The petitioner is in custody since 09.04.2025. Similarly situated co-accused has already been granted concession of bail, as mentioned above. Investigation has since been completed and challan has been filed. Conclusion of trial would obviously take time. Therefore, keeping

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in view the aforecited facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner 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.

02.07.2025

*Waseem Ansari*

**(MANISHA BATRA)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*