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

CRM-M-28344-2025

Date of Decision:27.05.2025

RAHUL SHARMA ALIAS RAHUL ALIAS DEV KUMAR

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Saurav Kanojia, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS with a prayer to grant regular bail to him in case FIR No.27 dated 18.02.2024, registered under Sections 22 and 25 of NDPS Act 1985 and Section 25 and 27 of Arms Act 1959 and offence under Section 29 of NDPS Act 1985 addled later on, Police Station Sidhwan Bet, District Ludhiana.

2. As per prosecution version, on the basis of the secret information, the petitioner was apprehended by the police party at the spot and 260 grams of heroin and 6 live cartridges and country made pistol was recovered from his conscious possession on 18.02.2024, which is marginally above commercial quantity.

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and no recovery was effected from



him. The petitioner is in custody since 18.02.2024 and the final report under Section 173 Cr.P.C. has already been presented against him. Trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that he may be released on regular bail. In support of his contentions, learned counsel for the petitioner has relied upon judgments in (i) **CRM-M-37684-2021, Balwinder Singh vs. State of Punjab**, decided on 14.02.2022; (ii) **CRM-M-8212-2022, Tajinder Singh vs. State of Punjab**, decided on 03.03.2022 and (iii) **CRM-M-35186-2016, Manjit Kaur @ Jeeto vs. State of Punjab**, decided on 01.12.2016.

4. On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner. However, he fairly conceded the fact that petitioner is not involved in any other criminal activity.

5. Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that the quantity of alleged contraband is marginally above the 'commercial quantity', but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

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

27.05.2025
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(N.S. SHEKHAWAT)
JUDGE

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