



CRM-M-23358-2025(O&M)

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

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CRM-M-23358-2025(O&M)
Decided on :17.09.2025

Liaquat Ali @ Liyakat Ali @ Jazzy B

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sandeep Godara, Advocate for
Mr. A.P.S. Rehan, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.33 dated 09.03.2025, under Sections 20 and 27(a) of NDPS Act, registered at Police Station Division No.1, District Pathankot.

2. Learned counsel for the petitioner submits that in the present case, a recovery of 110 grams of Charas was effected from a bag that was resting on the petitioner's shoulder. It is further submitted that a separate recovery of 1.22 kilograms of Charas was made from the co-accused, namely Kayuoom Khan @ Rinku.

Counsel contends that petitioner, aged 32 years, has no previous involvement in any other offence under the NDPS Act. It is further argued that the quantity allegedly recovered from the petitioner falls well below the threshold of commercial quantity, which, in the case



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of Charas, is more than 1 kilogram as per the relevant notification under the Act.

It is also submitted that the petitioner is in custody since 09.03.2025 (i.e., for the last six months and four days), and except for the framing of charges, no substantive progress has been made in the trial. In view of the likely delay in the conclusion of the trial, learned counsel prays for the grant of regular bail to the petitioner.

3. While opposing the prayer for bail, learned State Counsel submits that if the quantity recovered from the petitioner is considered along with the recovery made from the co-accused, the total quantity exceeds the limit of non-commercial quantity. Therefore, it is argued that the bar under Section 37 of the NDPS Act would be attracted while considering the present bail application. Accordingly, State Counsel prays for dismissal of the present petition.

4. I have considered the submissions addressed by the respective counsel, and also gone through the record available before the Court.

5. Having considered the facts and circumstances of the case, including the quantity of contraband recovered, petitioner's clean antecedents, prolonged custody, and the likelihood of delay in the conclusion of trial, this Court finds merit in the present petition.

Petitioner is 32 years of age and, as per the prosecution record, has no prior involvement in any offence under the NDPS Act. The recovery effected from him amounts to 110 grams of Charas, which is

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significantly below the threshold of commercial quantity. Moreover, out of 12 prosecution witnesses, none has been examined so far, indicating that the trial is not likely to conclude in the near future. This Court is of the view that petitioner deserves an opportunity to rehabilitate and reintegrate into the normal course of life. Therefore, at this stage, the prayer for regular bail appears to be justifiable. Accordingly, taking into account the totality of circumstances, 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 / Area Magistrate / Duty Magistrate concerned, if not required in any other case.

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

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

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

17.09.2025*Rashmi*

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*