

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

2025:PHHC:106698



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**CRM-M-29916-2025 (O&M)
Date of Decision: 18.08.2025.**

Ashwani Kumar @ Rocky

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Munish Puri, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in FIR No.11 dated 03.03.2025, under Sections 21, 27(a) of NDPS Act and Section 29 of the NDPS Act (Section 111 of BNS added later on), registered at Police Station Taragarh, District Pathankot.

As per prosecution case, on 03.03.2025, 13 grams heroin and drug money of Rs.1800/- as well as motorcycle were recovered from the possession of co-accused Roshandin, who disclosed the name of the petitioner.

Learned counsel for the petitioner contended that recovery in the present case had been effected from co-accused and the petitioner has been roped in the present case only on the basis of disclosure statement of co-accused. The petitioner is not even known to accused Roshandin, who

had named him. He has urged that as trial of the case is likely to take time, therefore, the petitioner be granted concession of regular bail.

Notice was issued in this case on 27.05.2025 and status report was called from the State, which was filed on 31.07.2025 and the same is taken on record.

Learned State counsel has opposed the petition and submitted that allegations against the petitioner are serious in nature. During investigation, co-accused suffered a disclosure statement, as per which the remaining 13 grams heroin was to be sold to the petitioner and as such he is not entitled to the concession of regular bail.

Heard.

The perusal of the status report reveals that in the present case the petitioner has not been named in the FIR and his name surfaced later on only on the basis of disclosure statement of co-accused Roshandin. The alleged contraband i.e. 13 grams heroin and drug money of Rs.1,800/- was recovered from co-accused Roshandin, which falls under the 'non commercial quantity'. Recovery in this case had already been effected and as per the custody certificate, the petitioner is in custody since 03 months and 13 days. Conclusion of trial is likely to take time, so no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted to regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

(SUKHVINDER KAUR)
JUDGE

18.08.2025.

Komal

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