



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

CRM-M-32419-2025
Date of decision: 19.11.2025

SALMAN KHAN

...PETITIONER

V/S

**UNION OF INDIA THROUGH NARCOTIC CONTROL BUREAU
CHANDIGARH**

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Ayush Sarna, Advocate for the petitioner.

Mr. Sourabh Goel, Special Public Prosecutor, NCB
Assisted by Ms. Deity Jindal, Advocate.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in NCB Crime No.04/2022 dated 11.01.2022 registered under Sections 8, 20, 29 and 60 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') at Police Station NCB Chandigarh.

2. Brief facts of the present case are that on 11.01.2022, on the basis of secret information, the police apprehended one Lokesh Kumar and his mother Asha Devi, while they were coming in a car and 1.870 kgs. of *Charas* was recovered from the panels of doors of car in a concealed position. Thereafter, the petitioner was apprehended on the basis of disclosure statement made by co-accused Lokesh Kumar.

3. Learned counsel for the petitioner contended that the petitioner is not Ali Baba and Ali Baba is some other person, who also filed petitions; the petitioner is falsely involved in the present case; on the basis of Call Detail Report (CDR), it cannot be presumed that the petitioner is involved in the drug



trafficking; no recovery has been effected from the possession of the petitioner and he is not involved in any other criminal activity. In support of his contentions, learned counsel relied upon the judgment passed by this Court in ***CRM-A-1065-MA of 2016*** titled as ***Narcotics Control Bureau vs. Sandeep*** decided on 01.08.2018 as well as ***CRM-M-39657 of 2020*** titled as ***Vikrant Singh vs. State of Punjab*** decided on 06.04.2022.

4. On the other hand, learned Special Public Prosecutor filed reply in the shape of additional affidavit dated 19.11.2025, which is taken on record. He submitted that the petitioner was continuously in touch with co-accused Lokesh Kumar, from whose possession 1.870 kgs of *Charas* was recovered and the same comes under the category of commercial quantity; though, nothing has been recovered from the petitioner, but he is indulged in drug trafficking; after arrest of the co-accused, namely, Lokesh Kumar, he specifically stated that the delivery was to be done at Noida; moreover, petitioner was continuously in touch with the co-accused, who was apprehended at the spot with *Charas* as is clear from the call detail report of the phone used by the petitioner and phone also pertains to him as per customer application form annexed with the reply. Further, the petitioner is resident of Agra but on 11.01.2022, he was present at Noida to receive the consignment and he was arrested after a thorough inquiry in the present matter. As such, learned counsel prayed for dismissal of bail as accused/petitioner is actively involved in the drug trafficking.

5. This Court has heard learned counsel for the parties and duly considered their contentions.



6. Keeping in view the fact that the allegations against the present petitioner are serious in nature; the petitioner is recipient of *Charas* carried by co-accused Lokesh Kumar and was continuously in touch with him and talked many times as mentioned in the reply; on 11.01.2022, the petitioner was present at Noida and consignment was to be delivered at Noida but he is resident of Agra as per his customer application form of mobile phone; co-accused specifically named the petitioner, regarding recipient of that contraband and the contents of disclosure statement are corroborated with material collected by the investigating agency as the matter pertains to the commercial quantity of the drug i.e. *Charas*. Drug abuse is on high rise in India. Hon'ble Supreme Court has also expressed concerns about the substance abuse/drug abuse in **Union of India vs. Namdeo Ashruba Nakade** arising out of **SLP (Crl) No.9792 of 2025**.

Relevant paragraph of the same is reproduced hereunder:

"8 This Court is of the view that the issue of substance abuse has emerged as a global public health crisis in the twenty-first century, affecting every country worldwide, as drug trafficking and addiction have become pervasive. The United Nations Office on Drugs and Crime (UNODC) reported in its 2025 World Drug Report that "As at 2023, some 316 million people worldwide had used drugs in the past year, representing an increase over the past decade that outpaces population growth, which indicates a higher prevalence of drug use.

9. In India, there has been a concerning increase in drug abuse among the youth. Substance abuse not only affects individuals, families, and communities but also undermines various aspects of health including physical, social, political, cultural foundations, and mental well-being. (See: "Bhattacharya S, Menon GS, Garg S, Grover A, Saleem SM, Kushwaha P. The Lingering menace of drug abuse among the Indian youth - it's time for action. Indian J Community Med 2025;50:59-12, published on 17" April, 2025")

10. According to many news reports, India faces a clear dilemma between tackling the narcotics crisis systematically or sacrificing its



most valuable resource i.e. its young people. The extent of menace of drug abuse has also been highlighted by this Court in the case of Ankush Vipin Kapoor v. National Investigation Agency, (2025) 5 SCC 155 wherein this Court has observed as under:

"9.1 The ills of drug abuse seem to be shadowing the length and breadth of our country with the Central and every State Government fighting against the menace of substance abuse. The debilitating impact of drug trade and drug abuse is an immediate and serious concern for India. As the globe grapples with the menace of escalating Substance Use Disorders ("SUD") and an ever accessible drug market, the consequences Leave a generational imprint on public health and even national security. Article 47 of the Constitution makes it a duty of the State to regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and in particular the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health. The State has a responsibility to address the root causes of this predicament and develop effective intervention strategies to ensure that India's younger population, which is particularly vulnerable to substance abuse, is protected and saved from such menace. This is particularly because substance abuse is linked to social problems and can contribute to child maltreatment, spousal violence, and even property crime in a family."

7. In view of the above, this Court finds no merit in the present petition and the same stands dismissed accordingly.

November 19, 2025
manisha

(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |