



CRM-M-40280-2025

-1-

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

CRM-M-40280-2025

Date of decision: 20.11.2025

ROBIN

...PETITIONER

VERSUS

UNION OF INDIA THROUGH NCB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. H.P.Sullar, Senior Public Prosecutor, NCB with
Mr. Harneesh Kumar, Advocate for the respondent.

RAJESH BHARDWAJ, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.12 dated 05.05.2025 under Sections 8, 18, 23 and 29 of NDPS Act, 1985 registered at Police Station Narcotics Control Bureau, District Chandigarh.

2. Succinctly the facts of the case are that the NCB received an information regarding a suspected parcel lying at DHL, Office, 55 GT Road, Dhandhari Road Khurd, Ludhiana, Punjab on 05.05.2025. On receiving the same, the intelligence team reached the location and identified the parcel bearing WAYBILL 3439058840 and conducted a search. On search of the parcel, 0.349 kg of opium was recovered from the same. The investigation commenced and during the questioning of official of Courier Agency, namely, Nitin Kapoor and Deepak Bhatia, the complicity of the petitioner was surfaced and he was arrested on 07.05.2025. On completion of the investigation, the challan was presented, charges have been framed and trial has commenced. Petitioner approached the

**CRM-M-40280-2025****-2-**

both the sides and finding no merit in the same, the learned Judge Special Court, Ludhiana declined the bail application vide order dated 07.07.2025. Aggrieved by the same, petitioner is before this Court praying for the grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He further submits that petitioner had been roped in the present case on the basis of the statements made by the officials of the Courier Agency. However, the same is not reliable evidence. He further submits that whether the parcel was booked by the petitioner or not, is purely a matter of evidence. He further submits that the contraband allegedly recovered is admittedly a non-commercial quantity. He further submits that the petitioner has clean criminal antecedents as he is not involved in any other case except the present one. The challan has already been presented and charges have been framed. He further submits that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He submits that the identity of the petitioner has been verified from the CCTC footage recorded in the Courier Agency. He further submits that Aadhar Card of the petitioner had been used at the time of booking the parcel. He further submits that although the quantity of contraband recovered is non-commercial, the offence committed by the petitioner is nevertheless heinous, thus, he does not deserve the concession of regular bail. On instructions, he submits that challan has been presented and charges have been framed, however, out of 11 prosecution witnesses, none has been examined till date. He has produced custody certificate of the petitioner today in the Court

**CRM-M-40280-2025****-3-**

5. Heard.

6. On hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was arrayed as an accused in the present case on the basis of the statements made by the officials of the Courier Agency. The specific stand taken by the petitioner is to the effect that his Aadhar Card has been misused. It is also undisputed that the contraband allegedly recovered falls within the non-commercial category. Custody certificate produced would show that the petitioner has completed incarceration of 02 months and 20 days. He is not involved in any other case except the present one. Challan has been presented and charges have been framed.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time.

8. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

20.11.2025
renubala

(RAJESH BHARDWAJ)
JUDGE

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