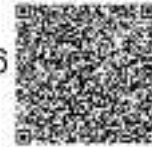


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

2025:PHHC:166616



CRM-M-40343-2025 (O&M)
Date of decision: 01.12.2025.

RAJESH KUMAR

...Petitioner(s)

VERSUS

THE STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Charanpreet Singh, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.178 dated 29.04.2023, under Section(s) 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Division No.7, District Ludhiana.

2 Learned counsel appearing for the petitioner contends that as per the case of the prosecution 900 grams of intoxicant substance (Alprazolam) was recovered on 29.04.2023 from the possession of co-accused Sunny who named the petitioner and Balwinder Singh @ Binder in his disclosure

statement and accordingly the petitioner was nominated as an accused. He contends that the petitioner is in custody since September 2023 and has already undergone an actual custody for a period of two years and two months. He contends that Balwinder Singh @ Binder, the other co-accused nominated on the disclosure statement made by accused Sunny has already been granted the concession of regular bail vide order dated 29.07.2025 passed in CRM-M-27194-2025. He submits that trial has reached only halfway as out of total 11 witnesses cited by the prosecution, only 05 witnesses have been examined so far.

3 State counsel does not dispute the factual aspects as noticed above and also does not dispute that the case of the petitioner would be at par with the co-accused Balwinder Singh @ Binder who has already been granted the concessions of regular bail. He, however, submits that the petitioner is involved in another cases under the provisions of Prisons Act, 1894 and Indian Penal Code, 1860. He also submits that as per the custody certificate issued by Superintendent Jail, Central Jail, Ludhiana dated 9/9/25, the petitioner has been in custody since 17/09/2025 and has undergone an actual sentence of around 1 year 2 months in the present case. He, however, does not dispute that co-accused Balwinder Singh @ Binder was facing trial in 04 other cases out of which three cases were for serious offenses.

4 Having heard the learned counsel for the parties and taking into consideration the period of custody undergone by the petitioner, the stage of the trial and the fact that co-accused Balwinder Singh @ Binder nominated on the disclosure statement made by co-accused Sunny has already been granted the concession of regular bail vide order dated 29.07.2025 passed in CRM-M-27194-2025, I deem it appropriate to extend the benefit of parity to

the petitioner. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

5 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

6 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

December 01, 2025.
raj arora

Whether speaking/reasoned

Whether reportable

(VINOD S. BHARDWAJ)

JUDGE

: Yes/No

: Yes/No