



CRM-M-42332-2025

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

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Decided on: 19.12.2025

**Rajat Luthra****.....Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Hitesh Chopra, Advocate for  
Mr. Amit Kumar, Advocate for the petitioner.

Mr. Jasdeep Singh, Addl. A.G., Punjab.

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**SANJAY VASHISTH, J.**

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), seeking regular bail in FIR No.49 dated 03.05.2025, under Sections 21(c), 29, 27-A, 31 of NDPS Act, and Section 25 of Arms Act, registered at Police Station C-Division, District Amritsar.

2. As per allegations, FIR in the present case was registered on the basis of secret information regarding the involvement of the accused persons namely Vishal @ Billu and Amandeep Singh, who are allegedly engaged in the illegal trafficking of heroin, by receiving it from across the border and selling it to consumers in this region. Following the registration of the FIR, accused namely, Vishal @ Billu and Amandeep Singh @ Aman were arrested, and 340 grams of heroin were recovered from their possession.

Based on the disclosure statements of the aforementioned accused, another accused- Ajay Kumar, was apprehended. Following his

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arrest, 1 kg of heroin along with one pistol was recovered. Additionally, 510 grams of heroin were recovered from co-accused Ajay. Consequently, in the present FIR, after the arrests of accused persons namely, Vishal, Amandeep, and Ajay, a total of 1.08 kg of heroin had been recovered.

It is further alleged one Baljinder Singh @ Billu was also involved in the case on the basis of disclosure statement of Ajay Kumar, with the specific allegation that he had previously purchased 30 grams of heroin at Rs. 1,600 per gram from Ajay Kumar.

The allegation against the petitioner is that he was supplied 100 grams of heroin by accused Ajay Kumar; however, no contraband was recovered from the petitioner at the time of his arrest.

3. Learned counsel for the petitioner contends that petitioner is a young man, aged 31 years, and has no prior record of involvement in similar criminal activities. Therefore, possibility of false implication in the present case, particularly in light of the fact that no narcotic substance was recovered from the petitioner, cannot be ruled out.

4. Learned counsel for the petitioner further submits that petitioner is in custody for a period of last six months and has not been involved in any other similar circumstances during this period. Therefore, prays for grant of regular bail.

5. On the other hand, learned State counsel submits that, according to the disclosure statement of co-accused Ajay Kumar, petitioner was alleged to have received 100 grams of heroin from him.

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However, it is an admitted fact that no contraband was recovered from the petitioner at the time of his arrest.

Learned State counsel further acknowledges the period of incarceration undergone by the petitioner and the fact that petitioner has not been involved in any other case.

6. I have heard learned counsel for the parties and perused the paper-book, status report and the custody certificate.

7. In view of the submissions made and the fact that no contraband was recovered from the possession of the petitioner, his clean antecedents, and the period of incarceration already undergone, this Court finds merit in the prayer of the petitioner. Accordingly, without expressing any opinion on the merits of the case, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, if not required in any other case.

8. 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.

9. Petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**December 19, 2025**  
Rashmi

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**