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

CRM-M-45494-2025

Date of Decision: 10.12.2025

Pawan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**Present:** Mr. Suneet Pal Singh Aulakh, Advocate
for the petitioner.

Mr. Raj Karan Singh, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.04 dated 04.01.2025 under Section 22, 22-C & 29 of the NDPS Act registered at Police Station Special Task Force, District STF Wing.

2. Succinctly, facts of the case are that the police party while on patrolling on 04.01.2025, received a secret information to the effect that Abhishek Sharma @ Abhi and Pawan Kumar (petitioner) are involved in selling of intoxicated tablets. It was informed that today they would come from Ludhiana on their Splendor motorcycle bearing registration No.PB-10-FD-2896 to supply the contraband in the area of Dugri side. In pursuance thereof, 1188 strips each containing 10 tablets and total 11880 tablets of Alprazolam tablets were recovered from the conscious possession of Abhishek Sharma @ Abhi and Pawan Kumar (petitioner). They failed to produce any licence regarding possession of the same and thus, they were arrested on spot. On registration of FIR, investigation commenced. On completion of investigation,



challan was presented and on framing of charges, the trial commenced. The petitioner approached learned Judge, Special Court, Ludhiana, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 07.05.2025. Aggrieved by the same, petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of the co-accused. He has drawn the attention of this Court to the order dated 21.07.2025 passed by this Court in **CRM-M-36987-2025**, whereby co-accused of the petitioner, namely, Abhishek Sharma @ Abhi, has been granted the concession of bail. He submits that on the basis of the parity, petitioner deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who has already been granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He endorsed the fact that case of the petitioner is at par with co-accused, namely, Abhishek Sharma @ Abhi, who has already been granted bail by this Court. He has produced the custody certificate of the petitioner today in the Court and the same is taken on record.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest. Admittedly, co-accused of the petitioner, namely, Abhishek Sharma @ Abhi, has already been granted bail by this Court vide order dated 21.07.2025 passed in **CRM-M-36987-2025**. As per the custody certificate, the petitioner has completed the incarceration of 11 months and 03 days as on 09.12.2025. It further reflects that the petitioner is not involved in any other case.

6. 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.

7. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity.

8. Accordingly, the present petition is allowed and the 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.

10.12.2025
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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	: Yes/No
<i>Whether reportable</i>	<i>: Yes/No</i>