



CRM-M-47926-2025

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

CRM-M-47926-2025

Date of Decision: 03.09.2025

PRINCE KUMAR ALIAS RAJAN

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Ms. Nupur Sood, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab (Through V.C.).

YASHVIR SINGH RATHOR, J. (Oral)

1. This is first petition under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.140, dated 04.12.2023, registered at Police Station Division D, Police Commissionerate, Amritsar, under Sections 22(c) and 29 of NDPS Act, 1985.

2. Learned counsel for the petitioner has been heard and material collected by the police during investigation has been perused.

3. The brief facts of the case are that police party was on patrolling duty at Golbagh, Yatri Niwas Nagar Nigam and on the basis of secret information, the accused persons, namely, Prince Kumar @ Rajan and Baljinder Singh were apprehended with 14500 Tramadol sustained release tablets I.P intoxicant tablets, make Clovedol 100 SR lying in 29 boxes and the FIR was registered.



4. Learned counsel for the petitioner argued that petitioner has been falsely implicated in the present case. The investigation has been completed and final report has already been presented before the concerned Court and trial of the case has not made much progress as out of 34 prosecution witnesses, only 03 have been examined so far. Petitioner is in Custody since 04.12.2023. A Coordinate Bench of this Court has already granted concession of regular bail to the co-accused Baljinder Singh vide order dated 16.07.2025 in CRM-M-25130-2025. Learned counsel next contended that trial of the case is certainly going to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

5. On the other hand, learned State counsel has opposed the grant of regular bail to the petitioner on the ground that the petitioner has been apprehended at the spot along with a huge quantity of contraband which falls under the commercial quantity. As such, embargo under Section 37 of the NDPS Act would be applicable in the present case and thus, the petitioner is not entitled to bail. Learned State counsel further contended that another FIR No.71 dated 22.06.2021, under Section 22(c) and 29 of NDPS Act, at Police Station Jhabal, District Tarn Taran has been registered against the petitioner. He being habitual offender is not entitled to concession of regular bail.

6. Petitioner is in Custody since 04.12.2023. The investigation has been completed and final report has already been presented before the concerned Court and out of 34 prosecution witnesses, only 03 have been examined so far. Case against petitioner is identical to that of co-accused



Baljinder Singh who has already been released on bail and petitioner too is entitled to be released on bail on the ground of parity. Moreover, the trial of the case is certainly going to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

7. Having regard to the aforesaid factual position and also on the basis of parity, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

03.09.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No