



**CRM-M-50013-2025 and
CRM-M-35893-2025**

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

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CRM-M-50013-2025

Rinku Thapar

. . . Petitioner(s)

Versus

State of Punjab
205-2

. . . Respondent(s)

CRM-M-35893-2025

Divyam

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

Decided on :23.12.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gurnoor Singh Sethi, Advocate for the petitioner
(in CRM-M-50013-2025).

Mr. Sandeep Arora, Advocate for the petitioner
(in CRM-M-35893-2025)

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

SANJAY VASHISTH, J. (Oral)

1. By way of this common order both the aforementioned petitions are being disposed of as they arise out of one common FIR.

2. Facts are common in both the bail petitions and are detailed here under:-

Instant Second petitions have been filed under Section 483 of the BNSS, 2023, for grant of regular bail to the petitioners in their respective petitions, which have been filed in case, FIR No.147 dated 20.09.2024, under Sections 21(c), 20 of NDPS Act and Section 25 of the Arms Act, 1959 (Section 27-A, 29 of the NDPS Act added later on),

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Sections 2, 9, 39, 44, 48-A, 49, 49-A, 49-B, 50 and 51 of the Wild Life Protection Act, 1972, registered at Police Station Special Task Force, Police District STF Wing, SAS Nagar (Mohali).

3. As per the secret information received, names of nine individuals were disclosed, along with specific details indicating that if a raid were to be conducted, five of them would be found present at the residence of Rinku Thapar.. Said nine names are mentioned as under:-

1. Rinku Thapar(petitioner in CRM-M-50013-2025)
2. Ankush Bhatti
3. Aakash Sharma
4. Divyam (petitioner in CRM-M-35893-2025)
5. Bharat
6. Chandan Sharma
7. Arwinder Singh @ Gavi
8. Lovepreet Singh alias Lovi, and
9. Pratham Hans

4. During the raid conducted at the residence of petitioner-Rinku Thapar, five individuals, Rinku Thapar himself, along with Divyam(petitioner herein), Bharat, Ankush Bhatti, and Pratham Hans, were found present and were subsequently arrested on 20.09.2024. Simultaneously, a separate raiding team apprehended co-accused, namely, Chandan Sharma and Aakash Sharma from their respective residences on the same day. In addition, Lovepreet Singh @ Lovi and Vishal Singh @ Raja (who was not named in the secret information or in



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the FIR), were also arrested on 20.09.2024 from Lovepreet Singh's residence. Furthermore, Arwinder Singh @ Gavi was arrested on 21.09.2024 from his home at Amritsar.

5. Other six co-accused, namely Pawan Kumar, Sanjeev Chawla @ Sanjiv Chawla, Prince, Harvinder Singh, Chetan Aggarwal, and Kamal Kumar, were arrested at a later stage, based on the disclosure statements made by the previously arrested accused. Their involvement came to light during the course of investigation, following which appropriate action was taken to apprehend them.

6. Some of the common arguments addressed by counsel for the petitioners, are mentioned here under:-

(i) Upon receiving the secret information, an FIR was registered immediately without making any prior or separate entry in the Daily Diary Register.

(ii) Upon examining the details mentioned in the FIR, it appears that General Diary (GD) Entry No. 008 was registered on 20.09.2024 at 09:30 hours. Simultaneously, the impugned FIR was also registered to initiate proceedings for conducting a raid at the residence of Rinku Thapar. In other words, the FIR was lodged even before the alleged recoveries were effected from the accused. This sequence of events reveals the possibility of registration of ante-time FIR. However, the authenticity and timing of the FIR will ultimately be determined during the final stage of the trial.



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(iii) Registration of the FIR at first instance, before effecting of recovery of contraband, weapons or currency notes, shows that the version is concocted, and thereupon, same is converted into the shape of First Information Report, portraying it to be a case of committing raid and effecting of recoveries, thereafter.

(iv) Prior to the registration of the case, upon receiving the secret information, no reasons were recorded to establish the reliability of the information, as no recovery had been effected by the police.

(v) It is also pointed out that one of the accused namely Harvinder Singh, is a registered money exchanger in the name of his wife, before challaning him as accused, no investigation was conducted to verify the business working of the said accused.

(vi) Even otherwise also, investigation *qua* all the petitioners herein has been completed and final report under Section 193 of BNSS (173 of Cr.P.C.) has also been submitted. Culmination of the trial is likely to consume a considerable time, therefore, bail if granted to the petitioners, would not affect, in any manner, to the prosecution, or the Court proceedings.

(vii) Learned counsel for the petitioners submit that seven co-accused namely, Chandan Sharma, Harvinder Singh Aakash Sharma, Arwinder Singh @ Gavi, Kamal Kumar, Vishal Singh @ Raja and Ankush Bhatti have already been granted the concession of regular bail by this Court vide order dated 07.05.2025(P-2) passed in CRM-M-5338-2025 and other connected cases.



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viii) Counsel also submit that no narcotic drug or any other contraband prohibited and punishable under the provisions of the NDPS Act has been recovered from petitioner-Rinku Thapar. From petitioner Divyam, 381 grams of charas has been recovered, which is much less to the commercial quantity of charas, i.e., more than **one kilogram**, therefore, the plea for bail deserves to be considered by taking a moderate view.

7 Learned counsel for the petitioners submits that the petitioners are in custody for a period of more than one year and two months. After completion of the investigation, challan has already been presented. Although charges were framed on 10.12.2025, there is no likelihood of the trial being concluded in the near future, as the prosecution has cited a long list of 42 witnesses, who are yet to appear and be examined before the Court. Consequently, learned counsel prays for the grant of regular bail.

8. On the other hand, learned State counsel refers to the role of each of the accused from the status report, filed before this Court and submits that it is a serious offence against the society and such offences are at it's peak due to which youth in the State of Punjab is completely misdirected.

Heavy recovery of cash amount, which in fact, is a drug money, recovery of arms/weapons along with contraband from some of the accused sitting there, makes it clear that all the accused are members



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of a gang and earned drug money is shared by all of them. Thus, prays for dismissal of both the bail petitions.

9. I have heard learned counsel for the parties and perused the paper-book along with the documents appended thereto, as well as the status report.

10. Noticing the arguments recorded hereinabove, and in view of the common status report filed by the State, while dealing with the role attributed to each of the accused/petitioners, the plea for bail is considered as under:

Rinku Thapar – petitioner in CRM-M-50013-2025:

In pursuance of the secret information and registration of the FIR, a raid was conducted at the residence of petitioner Rinku Thapar, from whose possession the following articles were allegedly recovered:

- (i) 38 live cartridges of .32 bore pistol;*
- (ii) 08 live cartridges of LG and 02 empty cartridges;*
- (iii) alleged drug money amounting to ₹6,18,780/-;*
- (iv) gold ornaments and a gold brick/biscuit weighing 262 grams;*
- (v) one Canon camera;*
- (vi) one Apple watch;*
- (vii) three laptops;*
- (viii) four mobile phones and one mobile phone recovered during personal search;*
- (ix) four vehicles, namely Alto, Endeavour, Thar and Scorpio; and*



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(x) one animal skin and two horns, stated to be likely of a deer, along with an electronic weighing machine.

Divyam – petitioner in CRM-M-35893-2025:

From the petitioner Divyam, recovery of charas weighing 381 grams has been effected.

It is also noticed that the earlier petition filed by petitioner Rinku Thapar, i.e., CRM-M-5338-2025, was dismissed as withdrawn, and the petition filed by petitioner Divyam, i.e., CRM-M-10845-2025, was disposed of as not pressed, vide common order dated 07.05.2025.

11. Again facts and circumstances have been examined deeply, particularly the prolonged incarceration of the petitioners for more than one year and two months and that investigation is already complete and challan stands presented. There are total 42 prosecution witnesses therefore, likelihood of early conclusion of trial is very less because process of recording of statements is yet to start. There is no recovery of any narcotic substance, punishable under the provisions of NDPS Act, from petitioner-Rinku Thapar. Only 381 gms of *charas*, which is much less to the commercial quantity i.e. more than one kilogram, has been recovered from petitioner-Divyam, as well as considering the undisputed aspect that the petitioners are not involved in any other criminal case in their past carrier, this Court finds merit, while consider the prayer for bail in the present petitions.



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Accordingly, without expressing any opinion on the merits of the case, prayer made in both the petitions is **allowed**. Petitioners namely, **Rinku Thapar** and **Divyam** are ordered to be released on regular bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate concerned, if not required in any other case.

12. 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.

13. Petitions stand disposed of.

14. A photocopy of this order be placed on the file of another connected case.

**(SANJAY VASHISTH)
JUDGE**

23.12.2025

Rashmi

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No