



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

(201)

**CRM-42733-2023 & CRM-49732-2023 IN
CRM-M-18699-2023
AND CRM-M-61320-2023 (O&M)
Date of decision:- 24.12.2025**

KRISHAN KUMAR ARORA

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Arjunveer Sharma, Advocate and
Mr. Gaurav Goyal, Advocate
for the petitioner.

Mr. Kanav Singla, AAG, Punjab.

SUVIR SEHGAL, J. (ORAL)

CRM-M-61320-2023 (O&M)

1. This is the fourth petition for grant of bail under Section 439 CrPC in FIR No.95 dated 25.02.2020, lodged for offences under Section 22 of the Narcotic Drugs and Psychotropic Substances Act 1985 (Sections 25 and 29 of the NDPS Act and Sections 467, 468, 471 and 120 IPC were added later on) at Police Station Barnala, District Barnala.

2. Counsel for the petitioner states that FIR, Annexure P-1, has been registered on the basis of secret information and Mohan Lal @ Kala was apprehended on 26.02.2020, leading to recovery of intoxicating tablets from him and other accused. Counsel states that interrogation of the main accused led to a chain of arrest, including that of the petitioner. Counsel asserts that no



recovery has been effected from the petitioner, who has been arraigned as an accused on the basis of disclosure statement of co-accused. He states that the allegation against the petitioner, who is more than 70 years of age, is that he is the father of Gaurav Arora, who is alleged to be a manufacturer of intoxicating tablets. Counsel asserts that the first petition preferred by petitioner for grant of regular bail (CRM-723-2021) was declined by this Court on 23.07.2021 and in SLP, Hon'ble Supreme Court directed that the trial be concluded expeditiously. Counsel has made a reference to the medical record of the petitioner. He states that by virtue of order dated 29.04.2023 passed in subsequent petition moved by petitioner, he was released on interim bail and the order is continuing. Counsel has made a reference to medical certificate dated 03.12.2025, Annexure P-15, and states that he is suffering from Parkinson and there is no improvement in his condition. Counsel asserts that petitioner is not in a position to move about unaided and interim order deserves to be made absolute.

3. State counsel has filed a short reply by way of affidavit of DSP (SD) Barnala dated 22.12.2025, whereby certificate, Annexure P-15, has been verified. State counsel has opposed the petition by submitting that an exceptionally huge quantity of contraband as well as drug money has been recovered during the investigation of the criminal case. He states that petitioner has a criminal antecedents and as many as nine FIRs are registered against him. Counsel has specific instructions to state that no recovery has been effected from the petitioner, who has been made an accused on the basis of disclosure statement. Upon instructions, he states that trial is at an advanced stage.



4. I have heard counsel for the parties and considered their respective submissions.

5. Perusal of the certificate filed along with the reply shows that the petitioner is undergoing treatment and has been ailing. Although, trial is at an advanced stage but despite direction by Hon'ble Supreme Court it has not concluded. Petitioner has been arraigned as an accused on the basis of disclosure statement. The legality and veracity of the disclosure statement would remain a subject matter of debate before the trial Court. As no recovery has been effected from petitioner, bar under Section 37 of NDPS Act would not apply as has been held by a Division Bench in *Dharamveer and another V/s. State of Punjab 2015 SCC Online P&H 5526*. Noticing that petitioner has been on interim bail for the last more than two years and he has not misused the concession as well as his advanced age and deteriorating health condition, this Court is inclined to accept the prayer made in the petition.

6. Without adverting to the merits or demerits of the arguments addressed by counsel for the parties, petition is allowed. Petitioner is ordered to be released on bail on furnishing adequate bail/surety bonds to the satisfaction of the Area Magistrate/Duty Magistrate/Trial Court concerned.

7. Nothing said hereinabove shall be construed to be an expression of opinion on the merits of the case.

CRM-42733-2023 AND CRM-49732-2023 IN CRM-M-18699-2023

8. Counsel for the petitioner states that in view of the order passed in the connected petition whereby, petitioner has been released on bail, instant application has become infructuous.



9. Dismissed as having been rendered infructuous.
10. A photocopy of this order be placed on the file of connected case.

(SUVIR SEHGAL)
JUDGE

24.12.2025
parul verma

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No