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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.55746 of 2025
Date of Decision: 15.12.2025

Vijay Kumar @ Vicky Arora ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Brejeshwar Singh Bhalla, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
63	28.03.2025	City Moga, District Moga	22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’)

2. As per the allegations, on 28.03.2025, the accused Charan Das was apprehended on the basis of suspicion and 40000 tablets of Tramadol Hydrochloride were recovered from his conscious possession. He was formally arrested. On interrogation, he suffered disclosure

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statement to the effect that the bag containing the intoxicant tablets belonged to one Rocky who was running a medical store at Moga. The accused Rocky was nominated as such. However, during investigation, he was found to be innocent.

3. As further alleged, on 25.04.2025, the accused Ahmad Ali @ Makhan who was in custody in some other case suffered a disclosure statement to the effect that he along with the present petitioner, Deep Kumar Goyal and Gurtarun Goyal was engaged in the business of selling intoxicant pills and tablets. The contraband effected from accused Charan Das was sold by them. The petitioner and co-accused Ahmad Ali @ Makhan, Deep Kumar Goyal and Gurtarun Goyal were accordingly nominated as additional accused. The petitioner was arrested on 30.04.2025. He too suffered disclosure statement admitting his involvement in the crime and got recovered 390 tablets of Tramadol Hydrochloride 100 mg and Trikam 100. The same were taken into possession by the police. The co-accused were also arrested. Some more recoveries were made. Investigation now stands completed.

4. As per the FSL report, the recovery of contraband effected from the accused Charan Das was of 6120 grams and recovery effected from the petitioner was of 59.67 grams of Tramadol Hydrochloride both of which are of commercial quantity. Investigation now stands concluded.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of

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the co-accused which cannot be considered to be admissible in evidence. A false recovery has been planted upon him. He is in custody since long. The trial will take considerable time to conclude since even charges have not been framed so far. No useful purpose would be served by keeping him in custody any more. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. It is, therefore, argued that the petition deserves to be allowed.

6. Status report and custody certificate have been filed. Learned Assistant Advocate General, Punjab has argued that the allegations against the petitioner are serious in nature. Commercial quantity of contraband was recovered from him. He is a habitual offender since he is involved in several other cases of similar nature and is not on bail in those cases. There are chances of his committing similar offences, if extended benefit of bail. It is, accordingly, stressed that the petition does not deserve to be allowed.

7. This Court has considered the rival submissions.

8. The petitioner is alleged to be involved in the business of supply/sale of intoxicant tablets/pills. The tablets of Tramadol Hydrochloride which were allegedly supplied by him along with the co-accused to accused Charan Das are of heavy and commercial quantity. Even recovery effected from them is of commercial quantity of Tramadol Hydrochloride. The rigors of Section 37 of NDPS Act are attracted in this case. The allegations against the petitioner are serious in nature. There is nothing on record to suggest that there would be any delay in conclusion of

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the trial. Taking into consideration the above discussed facts, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

9. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

15.12.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No