



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-67227-2025
Date of decision: 05.12.2025

RAHUL WALIAPetitioner
VERSUS

STATE OF PUNJABRespondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Gautam Bhardwaj, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 72 dated 03.05.2025, registered under Section(s) 21(B), 29, 61, 85 of the NDPS Act, 1985 and Section 111 of the BNS, 2023 at Police Station Division No.2, Pathankot.

2. As per the case of the prosecution, the petitioner-Rahul Walia was arrested on 03.05.2025 for being in possession of 13 grams and 52 milligrams of Heroin.

3. Learned Counsel appearing on behalf of the petitioner contends that the petitioner is in custody since the date of his arrest and he has already undergone an actual custody of around 07 months. The investigation in the case is yet not completed and challan is yet to be filed and as such the

conclusion of the trial shall take long time to its conclusion.

4. Learned State Counsel does not dispute the aforesaid facts. He, however, contends that the petitioner is a repeated offender and has been involved in other cases under the NDPS Act.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. Taking into consideration that the quantity of contraband recovered is an intermediate quantity and the petitioner has undergone an actual custody of more than 07 months and bearing in mind that no application for extension of time for completion of investigation has been filed under Section 36-A of the NDPS Act, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

DECEMBER 05, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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