

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025 PH4C 166373



CRM-M-66812-2025 (O&M)

Date of Decision: 04.12.2025

HARDEEP KUMAR @ RUBY

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Ruhani Chadha, Advocate for the petitioner.
Mr. Parneet Singh Pandher, A.A.G., Punjab.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.05 dated 27.01.2025, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 29 of NDPS Act added later on, registered at Police Station Mahilpur, District Hoshiarpur.

2. The case of the prosecution is that petitioner was found in possession of 138.36 gms of Alprazolam along with his wife who was also found in possession of 116.56 gms of Alprazolam.

3. Custody certificate dated 03.12.2025 filed by the State counsel has been taken on record.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case because of his enmity with a police official against whom he has filed CRWP-5916-2023 and Baljinder Singh Malhi, the then SHO of Police Station Mahilpur, District Hoshiarpur has falsely implicated the present petitioner with false recovery of the alleged contraband. Learned counsel for the petitioner further submits that his entire

family has been roped in the FIR.

5. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Out of 13 prosecution witnesses, only one prosecution witness has been partly examined. As per the custody certificate, the petitioner has undergone actual custody for a period of 03 months and 06 days.

6. I have heard the learned counsel for the parties and perused the record.

7. Keeping in view the fact that the challan has been presented and charges have been framed, out of 13 prosecution witnesses, only one prosecution witness has been partly examined, the petitioner has undergone actual custody for a period of 03 months and 06 days and continuous detention of the petitioner would not serve the ends of justice. Therefore, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that if on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

04.12.2025

Janki

(H.S.GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No