



CRM-M-6123-2026

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

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CRM-M-6123-2026

Date of decision : 17.04.2026

AJAY KUMAR ALIAS MATTU

... PETITIONER

Versus

STATE OF PUNJAB

.. RESPONDENT

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

Present:- Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Rohit Hans, DAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed by the petitioner seeking regular bail under Section 483 BNSS, 2023(erstwhile Section 439 Cr.P.C.), in case FIR No.364 dated 03.12.2025, under Sections 21, 27-A of the NDPS Act, registered at Police Station Civil Line Batala, District Batala.

2. The case of the prosecution is that on 03.12.2025, the petitioner was apprehended on the basis of suspicion when he tried to throw a polythene pouch upon seeing the police party. Upon checking of the said polythene pouch, 5.84 grams of heroin (non-commercial quantity) was recovered and from the personal search of the petitioner, an amount of Rs. 9,200/- was also recovered which is alleged to be drug money.

3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case and there is no incriminating

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material which would connect him with the alleged offence. It is submitted that there is non-compliance of mandatory provisions of the NDPS Act as no independent witness was joined during recovery. Learned counsel also submits that the petitioner is in custody for the last more than 04 months and 12 days. Although the petitioner is involved in four other cases including two cases under the NDPS Act but he is on bail in all the cases. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as none of the prosecution witness has been examined so far.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 04 months and 12 days. He, upon instructions, submits that none of the prosecution witness has been examined so far.

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

6. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 04 months and 12 days, the alleged recovery of contraband is of non-commercial quantity and that the trial is likely to take a long time because none of the prosecution witness has been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.



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7. 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 learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. However, it is made clear that in case the petitioner misuses the concession of bail, the State/complainant/injured would be at liberty to seek cancellation of his bail.

April 17, 2026
Sonia

(H.S.GREWAL)
JUDGE

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