



CRM-M-7129-2026

1

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

217

CRM-M-7129-2026

Date of decision: 16.03.2026

LUCKY KUMAR

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Ms. Gurneet Sagoo, Advocate
for the petitioner.

Mr. Rohit Bansal, Sr. DAG, Punjab.

SURYA PARTAP SINGH, J.

1. This petition for bail is the second petition filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. This petition has been filed with regard to a case arising out of FIR No.147 dated 01.11.2022, for the commission of offence punishable under Sections 21, 29, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Navi Baradari, District Jalandhar.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being at the instance of 'Anil Kumar'. It was reported by the above-named police officer that on 01.11.2022, he received a call from the Control Room that there was a suspicion that an under-trial prisoner, who was lodged in the lock-up situated in the Court Complex had acquired some narcotic substance during the process of production in the Court. According to above-named police officer, in view of above-mentioned information he



visited Court Complex, where Sub-Inspector Dinesh Kumar, incharge of team deputed for producing the under-trials prisoners met him and informed that Lucky Kumar (petitioner herein) had been produced before the Court, and that there was a suspicion that during the above-mentioned process, he had acquired some narcotic substance. As per report submitted by the above-named police officer in view of above-mentioned information he completed the requisite formalities with regard to the search of the person of petitioner, and thereafter, the search of body of the petitioner was conducted. It is the case of the prosecution that during body search he was found in possession of 97 grams of Ice drugs, a commercial quantity.

3. It is the case of the prosecution that pursuant to recovery of above-mentioned contraband, the requisite formalities with regard to seizure and sealing of contraband, filing of FIR and formal arrest of the petitioner in the present case were completed, and further investigation taken up.

4. Notice of motion.

5. Since advance notice has already been served upon the State, Mr. Rohit Bansal, Sr. DAG, Punjab, accepts notice on behalf of respondent-State. Hence, the service of notice upon the State is hereby dispensed with. The learned State counsel has filed the short reply and custody certificate. The same be taken on record.

6. Heard.

7. It has been contended on behalf of petitioner that petitioner has already suffered a prolonged incarceration for being in custody for a period of more than three years and four months, and that the trial is taking place at a very slow pace as out of nineteen prosecution witness only five witness have



been examined so far. It has also been contended by learned counsel for the petitioner that as on today, the petitioner is not having any other case pending against him, and that he has been falsely implicated in the present case. While claiming that the valuable right of speedy trial and personal liberty, of the petitioner, is being violated, the learned counsel for the petitioner has sought for the benefit of bail for the petitioner.

8. The learned State counsel has controverted the above-mentioned arguments. According to learned State counsel the present petition is the second petition filed by the petitioner, and that the former petition for bail filed by the petitioner was dismissed in recent past i.e. 01.09.2025. The learned State counsel has further contended that from the date of dismissal of first bail petition, no significant change in relevant circumstances has taken place. As per learned State counsel in view of above-mentioned circumstances, the present petition is not maintainable.

9. The record has been perused carefully.

10. A careful perusal of record shows that the former petition filed by the petitioner for bail was dismissed on 01.09.2025 and from the date of dismissal of former bail petition only six months have been elapsed and this period of six months cannot be treated to be a period large enough to render the petitioner eligible to file second bail petition. Since there is no significant change in circumstance from the date of dismissal of former bail petition, it is hereby observed that the present petition for bail is not maintainable and deserves dismissal. Hence, the same is hereby **dismissed**, accordingly.

(SURYA PARTAP SINGH)
JUDGE

16.03.2026

vipin

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