

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-D-320-2025 (O&M)

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
20.01.2026	06.02.2026	FULL PRONOUNCED	06.02.2026

Rinku Kumar @ Lado ...Appellant

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. R.K. Saini, Advocate and
Mr. Anshul Agnihotri, Advocate
for the appellant.

Ms. Pooja Nayar Sharma, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Section
08	14.01.2022	STF/SAS Nagar	21, 23, 29, 61/85 of the NDPS Act and 4,5 of the Explosive Act, Sections 13, 16, 18, 20 of the Unlawful Activities (Prevention) Act, 120B IPC, and Sections 25/54/59 of the Arms Act

Criminal Case number before the Sessions Court	CNR No.PBAS010009872025 Case No.BA/343/2025
Date of Decision	24.01.2025

1. Aggrieved by the dismissal of regular bail by the Additional Sessions Judge, Amritsar, vide order dated 24.01.2025, the appellant had come before this Court by filing the present appeal, seeking bail in the FIR mentioned above for offences including Sections 13, 16, 18, 20 of the Unlawful Activities (Prevention) Act [UAPA].

2. Per the custody certificate dated 19.01.2026, the appellant has the following criminal antecedents: -

Sr. No.	FIR	Dated	Police Station	Sections
1	03	06.01.2014	Sultanwind	21/61/85 of NDPS Act

2	164	27.04.2023	Goindwal Sahib	52A of the Prison Act
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3. The facts of the case are being taken from the reply dated 6th May 2025. The FIR in question was initiated on secret information, which led to the arrest of other accused and, eventually, to the applicant Rinku Kumar's arrest.
4. We have heard counsel for the parties and gone through the record, including the reply and its analysis, which would lead to the following outcome.
5. The role of the appellant-Rinku is mentioned in paragraph 13 of the reply dated 13.10.2025, which reads as follows: -

“ROLE OF THE PETITIONER RINKU KUMAR LADO

13. That Rinku Kumar @ Lado (present petitioner), is one of the closes associate of main accused Surmukh Singh @ Summu and is involved in the smuggling of weapons, explosives and heroin from the Pakistani ISI smugglers and the recovery so made in the present case as stated above has the involvement of the present petitioner. The recovery of 500 grams heroin from the present petitioner was recovered and the petitioner has links with co-accused as well as the Pakistani smugglers clearly establishes that he was involved in the commission of offence and unlawful activities.

That as per the 3rd disclosure statement of Surmukh Singh @ Summu, he has delivered 1/5 Kg heroin to Rinku Kumar @ Lado (present petitioner) in the year 2020 on asking of the Pakistani smuggler Pehlwan. In the year 2021, he again delivered 1/5 kg heroin alongwith 4 pistols, rounds and bombs to Rinku Kumar @ Lado (present petitioner).

That further when Rinku Kumar @ Lado (present petitioner) was arrested on 12.03.2022 and his disclosure was recorded on 15.03.2022 he got recovered the above said 500 grams heroin and also disclosed that he had 4 pistols with him, 7 boxes of rounds and two hand grenades. He further stated that 3 pistols were given to someone by him on different occasion alongwith the rounds and remaining one pistol, two hand grenades and the remaining rounds were thrown by him in Sultanwind drain in Amritsar. He further stated that he got in touch with Pakistani smuggler Pehlwan on the introduction of Harpreet Singh @ Happy @ Happy Malaysia. Thus, in this way there is corroborative evidence against Rinku Kumar @ Lado (present petitioner).

6. It is not a case of simple recovery of 500 grams of heroin alone, but it is a case where the appellant is found to be involved in the commission of an offense punishable under Sections 13, 16, 18, 20 of the UAPA, which creates another rigor for the Court before the bail is granted, i.e., the court has to give an observation that no prima facie case is made out. A prima facie analysis of the evidence that was collected in the investigation and has been

mentioned in the reply clearly points towards the existence of a prima facie case against the Appellant.

7. In fact, overall, the evidence pointing towards the recovery of narcotics, i.e., heroin, from Rinku's home itself, is sufficient to deny him bail. At this stage, the appellant seeks bail on the grounds of custody, i.e., 03 years, 09 months & 29 days.

8. In the present case, there are allegations under Sections of UAPA for anti-India activities that could have indirectly weakened India by drugs, which in turn would have affected our sovereignty. There is evidence of the appellant's involvement with Pakistan-based smugglers and the recovery of large amounts of ammunition from them. Thus, in the entirety of facts and circumstances, this Court is not inclined to grant bail to the appellant.

9. However, considering the pretrial custody of the appellant, this Court requests the trial Court to expedite the trial and it is clarified that if the trial is not concluded by 15th of December 2026, then the appellant shall have a right to file an application for bail before the trial court and on that ground alone, the trial Court shall consider granting bail to him without being influenced by previous orders of rejection by the trial court as well as by this Court. It is clarified that if the appellant delays the trial, that time shall be added to 15th December. It is further clarified that if the co-accused, who are on bail, try to delay the trial; then bail of such a person can be cancelled, and they can be taken into custody to expedite the trial.

10. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

11. Appeal dismissed. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

06.02.2026
Anju rani

Whether speaking/reasoned	YES
Whether reportable	NO