



CRM-M-14680-2025(O&M)

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

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CRM-M-14680-2025

Decided on :24.02.2026

Sachin Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ashutosh Gupta, Advocate and
Mr. Puneet, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present fourth petition has been filed under Section 483 of the BNSS, seeking regular bail in case FIR No. 6 dated 13.01.2023, registered under Section 22 of the NDPS Act at Police Station Urban Estate, Patiala, District Patiala.

2. Earlier, three bail petitions, i.e., CRM-M-27769-2023, CRM-M-26508-2024 and CRM-M-59096-2024, were dismissed as withdrawn vide orders dated 29.01.2024 (P-3), 22.08.2024 (P-4) and 02.12.2024 (P-5), respectively.

3. Learned counsel for the petitioner contends that petitioner is in custody for the last three years, one month and seven days (date of confinement: 16.01.2023), and till date there has not been much progress in the trial, as only 05 prosecution witnesses have been examined out of a total of 12 witnesses.

4. Counsel for the petitioner further submits that 960 intoxicant capsules, namely Proxywel Spas containing Tramadol Hydrochloride,

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Acetaminophen (Paracetamol) and Dicyclomine Hydrochloride, were allegedly recovered from a transparent polythene bag which the petitioner is stated to have thrown upon seeing the police party.

5. Learned counsel further submits that, in fact, a false case has been planted against the petitioner, as no prudent person would carry such a huge quantity in a transparent polythene bag that could be openly noticed by anyone.

6. Counsel also submits that the total quantity of Tramadol Hydrochloride comes to 512.64 grams, which is above the maximum limit of non-commercial quantity, i.e., 250 grams. Primarily on the grounds of prolonged incarceration and the trial not having been concluded, counsel prays for the grant of bail.

7. Per contra, learned State counsel submits that the petitioner had been convicted earlier as 15 grams of heroin was recovered from his possession, and immediately thereafter the present recovery was effected from him. Thus, prayer is made for dismissal of the present petition.

8. In response to the said submission, learned counsel for the petitioner clarifies that the alleged recovery in the earlier case was 05 grams of heroin and not 15 grams. After accepting his guilt, he was sentenced to undergo imprisonment for the period already undergone and to pay a fine of Rs. 1,500/-. Immediately thereafter, he was again put behind bars in the present case, which, according to him, has been falsely planted.

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9. I have heard learned counsel for the parties and perused the paper-book as well as the documents appended thereto.

10. Without commenting on the merits of the case, and considering the slow pace of the trial and the fact that the petitioner is in custody for more than three years, and that he cannot be detained indefinitely thereby curtailing his personal liberty, this Court finds merit in the prayer made by the petitioner.

Consequently, the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

11. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

24.02.2026***Rashmi***

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