



215

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16426-2026
Decided on : 01.04.2026

Naresh Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Pushp Jain, Advocate for
Mr. Gaurav Singla, Advocate
for the petitioner(s).

Mr. Vinay Malhotra, DAG, Punjab
assisted by SI Kashmir Singh.

SANJAY VASHISTH, J. (Oral)

1. Instant second petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Naresh Kumar	26	10.02.2025	22-61-85 of NDPS Act, 1985	Salem Tabri	Police Commissionerate, Ludhiana

2. On seeing the patrolling team, petitioner – Naresh Kumar and his co-accused Manjeet Ram @ Bhinda threw the yellow and green coloured boxes from the black coloured bags carried by them in their hands. Upon checking of the box thrown by petitioner – Naresh Kumar, 50 strips (total 750 tablets) of Alprazolam were recovered.

Similarly, from the cardboard box thrown by co-accused



Manjeet Ram @ Bhinda, 50 strips (total 750 tablets) of Alprazolam were recovered. Thus, there is a total recovery of 1500 tablets of Alprazolam.

3. First bail petition, i.e., CRM-M-72018-2025 (O&M), filed by the petitioner for seeking regular bail, was dismissed as withdrawn by this Court vide order dated 05.03.2026 (P-4), while granting liberty to the petitioner to file a bail application before the trial Court in the first instance.

4. Learned counsel for the petitioner argues that petitioner – Naresh Kumar is inside jail for the last more than a period of one year (since 10.02.2025) and no useful purpose would be served by keeping him any longer in custody.

It is further submitted that earlier, in the absence of FSL report, the petitioner was released on interim bail vide order dated 22.04.2025; however, on receipt of the FSL report, he was taken back into custody.

5. At this stage, on being asked by the Court, learned State counsel submits that the petitioner was earlier enjoying the concession of interim bail and, therefore, he has not completed one year of actual incarceration period inside the jail. Rather, as per custody certificate dated 31.03.2026, which is produced in Court today, petitioner has undergone total incarceration period inside jail for 06 months and 15 days so far.

6. Heard.

7. Since the quantity recovered from the petitioner is commercial in nature, and the petitioner has not completed one year of incarceration inside jail, though he is stated to be a first-time offender under the NDPS Act, this Court does not find any substantial reason to entertain the plea of bail at this stage.



Accordingly, **instant petition stands disposed of.**

However, it will be open for the petitioner to move a fresh petition on the same cause of action, after completion of one year incarceration period inside the jail.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

April 01, 2026
J.Ram

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