



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-17370-2026 (O&M)

Date of decision: 07.04.2026

Vinit @ Vanit Chauhan

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Rahish A. Nagrath, Advocate;
Mr. Mehul Nagrath, Advocate;
Mr. Tushar Kakkar, Advocate;
Mr. Chirag Chugh, Advocate for the petitioner(s).

Dr. (Ms.) Savi Nagpal, AAG Punjab with
ASI Mukhtiar Singh.

VINOD S. BHARDWAJ, J. (Oral)

1. This second petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.207 dated 03.10.2023, registered under Section(s) 22, 27, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 201 of the Indian Penal Code, 1860 at Police Station Samrala, District Ludhiana Police District Khanna.

2. Learned counsel appearing on behalf of the petitioner contends that, as per the case of the prosecution, on 03.10.2023, a Police party headed by ASI Sukhwinder Singh intercepted a car bearing registration No.HR-66A-6113 near Police Post Hedon on the Chandigarh-Samrala road which was being driven by one Sandeep Singh Nahar, while Malkit Singh and Lakhveer Singh were travelling as co-passengers seated on the rear seat of

the car. Upon search of the said car, a total of 20 boxes containing 10,000 tablets of Tramadol Hydrochloride (100 mg.) were recovered and accordingly the instant FIR was registered against the accused person.

3. Learned counsel appearing on behalf of the petitioner contends that the petitioner has been nominated as an accused solely on the disclosure of co-accused/Sandeep, who got his statement recorded to the effect that the contraband in question had been supplied to him by one Karnail Singh. It is further contended that, during the course of investigation, the mobile number linked to the transaction was traced and, although the same stood registered in the name of Karnail Singh, it was found to be in use by one Narinder Singh. On the basis of the aforesaid, Narinder Singh was also arrayed as an accused in the present case and that he, in turn, made a statement to the effect that the contraband had been procured by him from the petitioner herein.

4. He further submits that the petitioner is a qualified pharmacist who had, in fact, discontinued his pharmacy business prior to the occurrence and that he has been nominated as an accused solely merely on account of his name appearing on the boxes/cartons in question, as mentioned by the wholesaler and that no contraband whatsoever has been recovered from his possession. It is submitted that the petitioner has been in custody since 04.04.2025 and has undergone an actual custody of more than 01 year. It is also submitted that the petitioner has clean antecedents and is not involved in any other criminal case. He additionally submits that only 04 out of the total 20 prosecution witnesses have been examined so far and thus, the trial is likely to take a long time to conclude.

5. It is contended that the co-accused, namely Sandeep Singh Nahar, Malkit Singh and Lakhveer Singh who were apprehended from the spot and from whose possession the contraband was recovered, have already been granted the concession of regular bail by this Court vide orders dated 14.07.2025, 05.03.2025 and 14.10.2025 passed by this Court in CRM-M-61342-2024, CRM-M-58650-2024 and CRM-M-14947-2025 respectively. It is thus submitted that, in view of the fact that the principal accused, from whose possession the recovery was effected, have already been enlarged on bail, the petitioner, who has been implicated only on the basis of disclosure statements and without any direct recovery, is entitled to the concession of bail on the ground of parity.

6. Learned counsel for respondent-State, while controverting the submissions advanced by the petitioner, submits that although 4 prosecution witnesses have been examined, 3 witnesses have since been given up and thus only 13 witnesses remain to be examined. It is further contended that the investigation has established both the backward and forward links in the chain of supply, connecting the manufacturers to the suppliers and eventually to the present petitioner who acted as an intermediary and facilitated the movement of the contraband from the source to the ultimate transporters.

7. However, on a specific query being put by this court, she does not dispute that the petitioner has clean antecedents and is not involved in any other criminal case. It is also not disputed that the co-accused, namely Sandeep Singh Nahar, Malkit Singh, and Lakhveer Singh, who were apprehended from the spot and from whose possession the contraband was

recovered, have already been granted the concession of regular bail.

8. Having heard the learned counsel for the parties and taking into consideration the facts and circumstances as noted above, including the fact that the main co-accused from whose possession the contraband was recovered has already been granted the concession of regular bail by this Court, the clean antecedents of the petitioner, the period of actual custody already undergone by him, the stage of the trial and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

9. Accordingly, the instant petition is ***allowed*** and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

10. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

07.04.2026

Mangal Singh

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