



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

CRM-M-17389-2026 (O&M)

Date of decision : 01.05.2026

Manish Kumar @ Lovely

.....Petitioner

versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. I.P.S. Deol, Advocate
for the petitioner.

Mr. Kuljinder Dhindsa, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.303 dated 06.12.2025, under Section 22 of the NDPS Act and Section 25 of the Arms Act, 1959, registered at Police Station Shahkot, District Jalandhar Rural, Punjab.

2. Succinctly, facts of the case are that on 06.12.2025, when the police party in connection with checking of suspected persons, reached near the water tank at Talwandi Sanghera crematorium, a short haired young man was found sitting on the bench made on the roadside outside the crematorium. On seeing the police, he suddenly got up and tried to fled away, however, he was apprehended by the police. On asking, he disclosed his name as Manish Kumar @ Lovely. He was suspected to be carrying some objectionable item, hence, the search was conducted. On conducting the search, a country-made pistol 315 bore from the left pocket of his pants and a transparent plastic bag containing white coloured 10 loose intoxicating tablets, a live 315 bore round with 8 MM written on the back, Rs.500/500 notes (total Rs.25,000/-) in Indian currency as drug



money were recovered from his right pocket. Thus, the FIR was registered, investigation commenced and the petitioner was arrested on the spot. Petitioner approached the Court of learned Judge, Special Court, Jalandhar, praying for grant of regular bail. However, after hearing counsel for the parties, the same was declined vide order dated 13.02.2026. Being aggrieved, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that the alleged recovery of 10 loose intoxicating tablets and that of the country-made pistol was effected in the public place, however, no independent witness has been joined. He has contended that there is a blatant violation of provisions of Section 50 of the NDPS Act. He has submitted that the alleged recovery is planted on the petitioner to implicate him in a false case. To buttress his arguments, learned counsel for the petitioner has contended that the petitioner has no criminal antecedents as he has never been involved in any other case thus, his false implication is writ large. He has submitted that even otherwise the alleged recovery is non-commercial in nature and provisions of Section 37 of the NDPS Act are not attracted. He thus, submits that in the facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. Learned State counsel vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that from the search of the petitioner, 10 loose intoxicating tablets containing salt of Etizolam and country-made pistol was recovered. He, on instructions, has

submitted that the case is under investigation. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged recovery of 10 loose intoxicating tablets containing salt of Etizolam and that of the country-made pistol was effected from the personal search of the petitioner. As contended there is a violation of Section 50 of the NDPS Act. Custody certificate filed by the State shows that the petitioner has undergone incarceration of 04 months and 22 days as on 30.04.2026. It further reflects that the petitioner has no criminal antecedents as he has not been involved in any other case. As submitted the case is under investigation.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

01.05.2026
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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