



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

CRM-M-18219-2026 (O&M)

Date of decision: 10.04.2026

Mukesh Rajput

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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

Present :- Mr. Nikhil Batta, Advocate for the petitioner(s)
(through V.C.).

Dr. (Ms.) Savi Nagpal, AAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.97 dated 06.05.2025, registered under Section(s) 22/27/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Kotwali, District Patiala (Punjab).

2. As per the case of the prosecution, on 06.05.2025, the Police party headed by Inspector Jaspreet Singh, SHO Police Station Kotwali, Patiala saw a person holding a black coloured polythene bag at about 8.45 p.m., who was coming from the side of waste dump. On seeing the Police party, the said person became nervous, turned around and threw the polythene bag on ground. The said person was apprehended on suspicion and on query, he disclosed his name as Suresh Kumar @ Patha son of Anant Ram. After complying with all the statutory procedures, the polythene bag was searched and a total of 710 narcotics pills were recovered. Said Suresh Kumar @ Patha was arrested, who, during investigation, has suffered a disclosure that he alongwith his friend-Gurpreet Singh @ Mundi indulged in

the business of selling intoxicant tablets and they brought intoxicant tablets from applicant-accused/Mukesh Rajput (petitioner herein). Accordingly, Gurpreet Singh @ Mundi and the petitioner were nominated as accused in the present case. Gurpreet Singh @ Mundi was arrested on 20.05.2025 and on his disclosure, recovery of 110 intoxicant tablets was effected. The petitioner was arrested on 06.06.2025 in the present case, however, no recovery of any nature whatsoever has been effected at his behest.

3. Learned counsel appearing on behalf of the petitioner contends that the petitioner has been nominated as accused in the present case solely on the disclosure of co-accused, however, no recovery of any nature whatsoever has been effected at his behest. He submits that the said disclosure thus would not be admissible against the petitioner. It is contended that the petitioner has undergone an actual custody of nearly 10 months in the present case. It is further argued that the investigation in the present case is complete and charges have also been framed, but the evidence has yet not commenced and no prosecution witness, out of a total of 18 has been examined so far, hence, the trial is likely to take a long time to conclude.

4. Learned counsel for respondent-State, on the other hand, contends that the recovery effected from co-accused/ Suresh Kumar @ Patha and Gurpreet Singh @ Mundi, is commercial in nature and that the petitioner was the backward link in supply of the contraband recovered from the other co-accused. She however does not dispute that no recovery of any nature whatsoever has been effected from the petitioner and that there would arguable issues with respect to the backward links established by the

prosecution.

5. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

6. Taking into consideration the facts and circumstances as noted above, including the arguable issues with respect to the involvement of the petitioner in the commission of the offence, he being nominated as an accused solely on the basis of disclosure of co-accused and no recovery of any nature whatsoever has been effected at his instance, the period of actual custody 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.

7. 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/Illaq Magistrate concerned.

8. 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.

9. 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

10.04.2026

Mangal Singh

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