

2026:PHHC:057137



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

214

**CRM-M-18871-2026 (O&M).
Date of Decision: 16.04.2026.**

Bulla

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. B.S. Kathuria, Advocate for the petitioner.

Mr. Vinay Malhotra, Deputy Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

Petitioner-Bulla, aged 35 years, has filed this petition under Section 483 of BNSS, 2023, seeking regular bail in case FIR No.15 dated 05.02.2025 under Sections 21 and 29 NDPS Act, registered at Police Station Sadar, District Jalandhar.

2. As per the case of the prosecution, petitioner-Bulla along with co-accused Harpreet Kaur, were apprehended together. On seeing the police party, petitioner-Bulla allegedly threw a plastic bag, which, upon search, was found to contain 50 grams of heroin.

At the time of the initial arrest, no contraband was recovered from the possession of co-accused Harpreet Kaur @ Preeti. However, after two days, on 07.02.2025, 260 grams of heroin was shown to have been recovered at her instance from a Veterinary Hospital in Jalandhar, which, in no manner, is connected to any activities involving the co-accused Harpreet Kaur @ Preeti.

3. Learned counsel for the petitioner further argues that petitioner and his co-accused Harpreet Kaur @ Preeti while were apprehended together, 50 grams of Heroin was recovered, which allegedly had been thrown by the petitioner. While citing order dated 26.02.2026 passed by this Court in CRM-M-55180-2025 and CRM-M-4444-2026 (Annexure P-3), learned counsel for the petitioner submits that from co-accused Harpreet Kaur @ Preeti, 260 grams of Heroin was recovered, however, she along with co-accused Vinod Kumar @ Billa have already been released on bail by this Court. Thus, alleged recovery from the petitioner is even much less from the commercial quantity which is more than 250 grams of Heroin and petitioner is inside jail since 05.02.2025 (i.e. more than a period of 01 year and 02 months). Thus, counsel for the petitioner prays for grant of regular bail to the petitioner in the present case.

4. On the other hand, learned State counsel opposed the bail on the ground that petitioner is habitual offender and is involved in six other cases. However, he has not been convicted in any of the said cases.

5. I have heard learned counsel for the parties and perused the paper-book along with the documents appended thereto.

6. In view of the aforesaid facts and circumstances and considering that 50 grams of Heroin is five times less to the commercial quantity, threshold of 'commercial quantity' is 250 grams, as petitioner is inside jail since 05.02.2025 and co-accused Harpreet Kaur @ Preet and Vinod Kumar @ Billa have already been granted the concession of regular bail by this Court, vide order dated 26.02.2026 (Annexure P-3) and out of total 17 prosecution witnesses, none has been examined so far, this Court is of the considered opinion that the petitioner deserves the concession of regular bail. However,

anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. **Petition stands disposed of accordingly.**

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

(SANJAY VASHISTH)
JUDGE

16.04.2026

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