

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

2026 PHHC 078025



CRM-M-22377-2026 (O&M).
Date of decision: 18.05.2026.

LADDI ALIAS LADDI KUMAR @ RICKY

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

PRESENT Mr. Manoj R. Sharma,, Advocate,
for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.94 dated 05.05.2025, under Section(s) 22, 27(a), 29,
61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985,
registered at Police Station Dinanagar, District Gurdaspur.

The aforesaid FIR was registered on the basis of written report
sent by ASI Balkar Singh which reads as under: -

“Chief Officer, Police Station Dinanagar, I, ASI along with ASI Gurdeep Singh 216, ASI Rupinder Singh 693, CT Gagandeep Singh 279, Government Scorpio Number PB 65 BG 9224 whose driver is PHG Ashok Kumar 302, while patrolling in connection with checking suspicious persons, reached SSM College near National Highway Bypass Dinanagar, Daburji Road, Singhowal Road, and was going towards village Singhowal for checking. When the police party reached near the bridge of canal minor in village Singhowal at about 01:40 PM, a young boy was seen coming on foot from the side of village Magrala. Seeing the police party, the young boy got nervous and threw a heavy, wax-coated black envelope from his right hand onto the unpaved ground on the western side of the road and tried to turn back. I, the ASI, with the help of fellow employees, apprehended the young boy who was trying to escape after throwing the suspicious heavy envelope. Upon asking his name and address, he identified himself as Rajat, son of Vijay Kumar, resident of near Government School, Paniar, PS Dinanagar. Suspecting that the black wax-coated envelope thrown by the young boy contained some objectionable item, before checking it, I, the ASI, asked ASI Gurdeep Singh to go to the nearby village Singhowal and bring any public witness to join the police party. After some time, ASI Gurdeep Singh returned and informed that several residents of village Singhowal were asked to join the police party, but everyone expressed their personal compulsions and refused to join. Following this, I, the ASI, in the presence of fellow employees, picked up the black wax-coated envelope thrown on the ground by the apprehended young boy and checked it. The black wax-coated envelope was found to contain white-colored intoxicant tablets without any markings and Indian currency. Upon asking the apprehended young boy about the recovered intoxicant tablets and the currency, he stated that these are intoxicant tablets and the money was earned by selling similar

tablets a short while ago. After taking the recovered intoxicant tablets out of the transparent wax envelope and counting them, there were found to be a total of 40 white-colored intoxicant tablets without any markings. The recovered intoxicant tablets were put back into the same transparent wax envelope and a parcel was prepared by putting it in a plastic container. I, the ASI, sealed the parcel with my seal 'BS/I'. Upon counting the recovered Indian currency, it consisted of 5 notes of 200/200 denomination and one note of 100 rupees, totalling 1100 rupees. A separate parcel of the recovered 1100 rupees was prepared by wrapping them in the same black wax-coated envelope and putting it in a plastic container. I, the ASI, also sealed this parcel with my seal 'BS/I'. A sample seal was prepared separately, and Form Number 4 was completed. After use, the seal was handed over to ASI Rupinder Singh 693. The sealed parcel of intoxicant tablets and the sealed parcel of 1100 rupees along with the sample seal were taken into police possession through a recovery memo, which was signed by the witnesses and attested by me, the ASI. CT Gagandeep Singh 279 captured photographs of the spot using his mobile phone (Oppo). Since the recovery of the case property makes it an offense punishable under Section 22, 27A-61-85 NDPS Act, the written report is being prepared and sent through CT Gagandeep Singh 279 to the Duty Officer, PS Dinanagar for registration of an FIR. As Munshi Rajat, son of Vijay Kumar, resident of near Government School, Paniar has been found in possession of 40 intoxicant tablets and 1100 rupees of drug money, an FIR under Sections 22, 27A-61-85 NDPS Act should be registered against him. After registration of the FIR, the case number should be informed. Special reports should be sent to the Honorable Magistrate Sahib Gurdaspur and higher officials. The Control Room Gurdaspur should be informed via wireless message. I, along with fellow employees, am busy at the spot with the investigation. Balakar Singh ASI, PS

Dinanagar.”

Learned counsel appearing on behalf of the petitioner contends that as per the contents of the FIR, co-accused of the petitioner namely Rajat alias Raju was arrested on 05.05.2025 at about 1:40 P.M. and was found in possession of 40 intoxicant tablets containing salt 7.32 grams Etizolam. He contends that the petitioner was named in the disclosure of aforesaid co-accused but no recovery was effected from the petitioner. He was arrested on 07.05.2025 and was released on 01.07.2025, on account of the FSL report having not been received and as such, the quantity could not be determined. Post receipt of the report of the FSL and the recovered quantity being commercial, the petitioner was re-arrested on 23.02.2026 and is in custody since then. Learned counsel contends that there is no recovery of any contraband from the petitioner and he has been nominated as an accused solely on the basis of the disclosure statement. He contends that there is no incriminating evidence against the petitioner, hence, his custodial interrogation is unwarranted.

State counsel, on the other hand, submits that there are four other cases against the petitioner out of which two are under the Excise Act, one case was registered under the NDPS Act wherein the quantity recovered from the petitioner was non-commercial, and one case had been registered under Section 304 and 120-B of the Indian Penal Code, 1860 wherein he was nominated on the basis of disclosure statement. State counsel, however, does not dispute that no recovery has been effected from the petitioner and that only one out of 31 witnesses cited by the prosecution has been examined so far.

Having heard the learned counsel for the parties, without commenting any further on the merits of the case and taking into consideration the period of custody already undergone by the petitioner as well as stage of the trial, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

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

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.

May 18, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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