



CRM-M-30822-2026

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

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CRM-M-30822-2026

Date of Decision: 01.07.2026

RAKESH KUMAR

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Anshul Sharma, Advocate with
Mr. Nitin Mehta, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 483 of BNSS (erstwhile Section 439 Cr.P.C) in case FIR No. 58 dated 11.03.2025 under Section 22 of NDPS Act registered at Police Station Phillaur District Jalandhar Rural.
2. The case of the prosecution is that the petitioner, along with co-accused Mukesh Kumar and Raman Kumar, was apprehended by a police party on 11.03.2025 while they were travelling on a motorcycle. Upon conducting the personal search of the petitioner, 30 tablets of Etizolam Tablets IP 0.5 mg (Etilaam) were allegedly recovered from the right-side pocket of his trousers. Similarly, upon the personal search of co-accused Mukesh Kumar, 25 tablets of Etizolam Tablets IP 0.5 mg (Etilaam) were allegedly recovered. Further, upon the personal search of the co-accused, namely Raman Kumar, 45



tablets of Etizolam Tablets IP 0.5 mg (Etilaam) were allegedly recovered. Consequently, the present FIR came to be registered.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has no concern with the alleged offence. He further submits that there has been non-compliance with the mandatory provisions of Section 50 of the NDPS Act. It is further contended that the co-accused, namely, Mukesh Kumar @ Mani, has already been granted the concession of regular bail by a Coordinate Bench of this Court vide order dated 29.04.2026 passed in CRM-M-12309-2026. Learned counsel further submits that the petitioner has been in custody since 13.03.2025 and prays for the grant of regular bail to the petitioner.

4. Notice of motion.

5. Mr. Subhash Godara, learned Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and vehemently opposes the prayer made by learned counsel for the petitioner on the ground that the allegations against the petitioner are serious in nature. Learned State counsel has filed the custody certificate in Court today, which is taken on record. As per the custody certificate, the petitioner has been in custody for the last 01 year, 03 months and 17 days and is not involved in other case. He further submits that, out of the 13 prosecution witnesses cited by the prosecution, only 01 has been examined so far.

6. I have heard the learned counsel for the parties and perused the record.



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7. Keeping in view the facts and circumstances of the present case and the fact that the petitioner is in custody for the last 01 years, 03 months and 17 days; not involved in any other case; out of the 13 prosecution witnesses cited by the prosecution, only 01 has been examined so far; co-accused has already been granted concession of regular bail coupled with the fact that the trial is likely to take considerable time, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that if on bail so granted through the instant order, the petitioner is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

10. Pending applications, if any, shall also stand disposed of.

01.07.2026
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(H.S.GREWAL)
JUDGE

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