

CRM-M-45510-2025
CRM-M-50892-2025 (O&M)
CRM-M-64503-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-45510-2025

VIKAS HANDA @ VICKY HANDA
.....Petitioner

Versus

STATE OF PUNJAB
.....Respondent

CRM-M-50892-2025 (O&M)

AMIT VIJ
.....Petitioner

Versus

STATE OF PUNJAB
.....Respondent

CRM-M-64503-2025

ABHIVINAY SHARMA ALIAS DAMAN ALIAS AVINAY SHARMA
.....Petitioner

Versus

STATE OF PUNJAB
.....Respondent

Decided on : 17.03.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. P.S. Ahluwalia, Senior Advocate, with
Mr. Jaiveer Singh, Advocate,
for the petitioner (in CRM-M-45510-2025).

Mr. Mukesh Kumar Bhatnagar, Advocate,
for the petitioner (in CRM-M-64503-2025).

Mr. Ritesh Pandey, Advocate,
for the petitioner (in CRM-M-50892-2025).

Mr. Vinay Malhotra, DAG, Punjab.



SANJAY VASHISTH, J.

1. By this common order, all the three aforementioned petitions, i.e. CRM-M-45510-2025, CRM-M-50892-2025 and CRM-M-64503-2025 shall stand disposed of.

2. Petition, i.e. CRM-M-50892-2025 is filed by the petitioner – Amit Vij, seeking grant of **regular bail**, in case, FIR No.140, dated 30.06.2025, under Sections 22(C), 25, 27-A, 29 of NDPS Act and Section 223 of BNS, registered at Police Station Jandiala, District Amritsar.

Petition, i.e. CRM-M-64503-2025 is filed by the petitioner – Abhivinay Sharma alias Daman alias Avinay Sharma, seeking grant of **regular bail**, in case, FIR No.140, dated 30.06.2025, under Sections 22(C), 61, 85 of NDPS Act, and section 323 of BNS and subsequent added sections 25, 29 of NDPS Act, registered at Police Station Jandiala, District Amritsar.

Petition, i.e. CRM-M-45510-2025 is filed by the petitioner – Vikas Handa alias Vicky Handa, seeking grant of **anticipatory bail**, in case, FIR No.140, dated 30.06.2025, under Sections 22(c), 61, 85, 25, 27-A, 29, 61, 85 of NDPS Act and Section 223 of BNS, registered at Police Station Jandiala, District Amritsar.

3. Case of the prosecution is that on the basis of receipt of secret information, raid was conducted and thereupon, recovery of 1,000 tablets of Tramadol was made from Abhi Vinay Sharma @ Daman (petitioner in CRM-M-64503-2025), who subsequently disclosed the name of Danish Gupta @ Danu. From the possession of Danish Gupta,



further recovery of 10,000 Tramadol tablets was effected. Following the arrest of Danish Gupta, another disclosure statement was recorded, leading to the identification of another accused, namely, Amit Vij (petitioner in CRM-M-50892-2025), who is owner of a medical shop. From Amit Vij's possession, drug money amounting to Rs.1,70,000/- was recovered.

4. Without addressing the merits of the case, counsel for the petitioner-Abhivinay Sharma alias Daman alias Avinay Sharma, from whom commercial quantity of 1,000 tramadol tablets were recovered, seeks withdrawal of the petition, i.e. CRM-M-64503-2025, at this stage.

5. Accordingly, petition, i.e. CRM-M-64503-2025 stands dismissed as withdrawn, at this stage.

Contentions addressed by counsel for the petitioner – Amit Vij, learned State counsel, and findings of this Court, in CRM-M-50892-2025:-

a. Counsel for the petitioner – Amit Vij submits that petitioner has been falsely implicated in the present case, solely on the basis of the disclosure statement of co-accused Danish Gupta.

Further argues that even, State has not established any money trail or regular contact between the petitioner and the co-accused. In the absence of any such basis, petitioner has been falsely involved in this case. Even after his arrest, nothing substantial was recovered from his possession, except an amount of Rs.1,70,000/-, which prosecution alleges to be proceeds of drug-related activity.



b. To refute this allegation, counsel refers to the licence dated 27.11.2022 issued to the petitioner by the Department of Drugs Control, Amritsar Circle (Annexure P-2), and submits that petitioner was operating a chemist shop for the sale of glucose. Had he been dealing in tramadol tablets or any other intoxicating substances at the time of recovery, such items would have been seized. Therefore, in the absence of any recovery from the petitioner during the raid, he cannot be considered an accused in this case.

c. Regarding alleged recovery of Rs.1,70,000/- as “drug money,” counsel refers to the invoice dated 25.06.2025 (Annexure P-3) issued by Sant Ram Jewellers, Guru Bazar, Amritsar, which shows that petitioner sold old gold ornaments weighing 15.540 grams for Rs.1,48,500/-, and the said amount was utilized by the petitioner to expand his chemist shop, explaining the source of cash.

d. Moreover, petitioner-Amit Vij is inside jail since 30.06.2025, and there is nothing further to be recovered from him.

e. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 16.03.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 08 months and 09 days period inside jail.



f. On being asked by the Court, learned State counsel submits that petitioner-Amit Vij, aged about 40 years, has no prior record of involvement in similar activities. However, learned State counsel prays for the dismissal of the present petition.

g. This Court has considered the submissions made by the parties and perused the record.

h. It is well-settled that unless the charges are proved beyond doubt, petitioner should not be unnecessarily detained in jail.

I. Considering the totality of circumstances, the facts and allegations against the petitioner, and the factors noticed here above, including the period of incarceration already undergone by him, this Court deems it appropriate to grant the concession of bail to the petitioner-Amit Vij, in the present case.

j. **Consequently, prayer made in the present petition, i.e. CRM-M-50892-2025 is allowed.** Petitioner – Amit Vij is ordered to be released on 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.

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

l. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

m. 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.

Contentions addressed by counsel for the petitioner – Vikas Handa @ Vicky Handa, learned State counsel, and findings of this Court, in CRM-M-45510-2025:-

a. Learned Senior Counsel for the petitioner-Vikas Handa @ Vicky Handa, submits that petitioner is engaged in running a jewellery shop and, in this regard, holds a Udyam Registration Certificate dated 20.05.2025 issued by the Ministry of Micro, Small and Medium Enterprises (Annexure P-3).

b. Further submits that petitioner, aged about 49 years, has no prior involvement in any similar activity and has been falsely implicated in the present case for some ulterior motive by the investigating agency.

c. Addressing the alleged telephonic communications between the petitioner-Vikas Handa alias Vicky Handa, and Amit Vij, learned Senior Counsel submits that such ordinary contact cannot, by itself, implicate citizens in the deal of narcotic substances. Counsel emphasizes that no narcotic contraband or monetary trail was recovered from the petitioner, and name of the petitioner was mentioned by co-accused Amit Vij, in his disclosure statement, which was recorded by the investigating



agency on the 6th day, after the initial recovery of tramadol tablets, i.e. on 01.07.2025.

d. On the other hand, learned State Counsel submits that, in view of the recovery of commercial quantities of tramadol tablets from the accused persons and telephonic communication between the petitioner and co-accused Amit Vij, petitioner is not entitled to anticipatory bail.

e. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it, and finds that no recovery of contraband was recovered from the possession of the petitioner, nor there is any allegation of his prior involvement in similar activity. Therefore, this Court deems it appropriate to grant the concession of anticipatory bail to the petitioner in the present case.

f. **Accordingly, petition, i.e. CRM-M-45510-2025 is allowed,** and petitioner – Vikas Handa @ Vicky Handa is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he

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possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

g. It is also directed that before leaving country any time during trial, petitioner – Vikas Handa alias Vicky Handa would seek prior permission of the Court.

6. With the reasons recorded here above, all the three petitions, i.e. CRM-M-45510-2025, CRM-M-50892-2025 and CRM-M-64503-2025 stand disposed of.

7. A photocopy of this order be placed on the files of other connected cases.

(SANJAY VASHISTH)
JUDGE

17.03.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO