



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114-1

CRM-M-46083-2025
Decided on : 05.03.2026

Sonu . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ranbir Singh Sekhon, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Instant second petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name Petitioner(s)	of FIR No.	Date	Section(s)	Police Station	District
Sonu	62	14.04.2024	21 & 29/61/85 of NDPS Act, 1985	STF, SAS Nagar	SAS Nagar (Mohali)

2. As per case of prosecution, on 14.04.2024 at about 06:00 PM, in the area of Govt. Senior Secondary Smart School, Humbran Chowk, village Hambran, heading towards Ludhiana City, a Ford Endeavour car bearing registration No.HR-51-BL-8181, was intercepted and driver was identified as Johni Kumar @ Johni Malwa, who was accompanied by his wife, Parjeta @ Parcheta, in the passenger seat. Upon conducting search of the vehicle, a heavy black polythene bag concealed under the driver's seat containing 800 grams of heroin was recovered. Additionally, drug money amounting to Rs.2,00,00/- was also recovered.



3. Learned counsel for petitioner submits that petitioner is in custody for a considerable period, i.e. more than 01 year and 09 months, and his name has been introduced in present case on the basis of disclosure statement made by co-accused – Johni Kumar @ Johni Malwa.

It is further submitted that similarly situated co-accused Sonia Rani has already been granted concession of regular bail by Coordinate Bench of this Court vide order dated **04.12.2024** (Annexure P-2), and another co-accused Neelam Khosla has also been granted concession of regular bail vide order dated **10.12.2024** (Annexure P-3). Besides, another co-accused, namely Parcheta @ Parjeta, has also been granted concession of regular bail by Coordinate Bench of this Court vide order dated **23.07.2025** (copy of order annexed as Annexure P-5 in connected petition bearing CRM-M-62893-2025 titled “Johni Khosla @ Johny Kumar @ Johny Malwa v. State of Punjab”).

Accordingly, on the ground of parity, as well as keeping in view that the petitioner’s implication rests solely on the disclosure statement of the co-accused – Johni Kumar @ Johni Malwa, and no recovery has been effected from petitioner, it is prayed that the petitioner also deserves to be extended the same benefit of regular bail.

4. On the other hand, learned State counsel has filed the custody certificate dated 02.03.2026 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.

5. Learned State counsel, while opposing prayer for bail, submits that recovery in present case falls within commercial quantity and, therefore, rigours of Section 37 of NDPS Act would be attracted. It is further submitted



that petitioner has been nominated on basis of disclosure statement of co-accused and investigation has revealed his involvement in alleged offence. However, learned State counsel does not dispute fact that no recovery has been effected from petitioner and that other co-accused have already been granted concession of regular bail by Coordinate Bench of this Court.

6. I have heard learned counsel for parties and perused material available on record.

7. Considering submissions made and material available on record, it is not disputed that petitioner has been nominated in present case on the basis of disclosure statement of co-accused and no recovery of any contraband has been effected from his possession.

It is also noticeable that similarly situated co-accused, namely Sonia Rani and Neelam Khosla have already been granted concession of regular bail by Coordinate Bench of this Court. Even co-accused Parcheta @ Parjeta, who was allegedly apprehended at the spot with recovery of contraband, has also been granted concession of regular bail by Coordinate Bench of this Court. Thus, petitioner also deserves to be considered for grant of bail. Besides, petitioner has suffered incarceration inside jail for a period of 01 year, 09 months and 10 days, till 02.03.2026 and trial would likely to take considerable time in its conclusion.

8. In the given circumstances, continued incarceration of the petitioner for an indefinite period is not warranted, particularly when his role is yet to be established by leading evidence during trial and when similarly situated co-accused, including one who was apprehended at the spot from where recovery of narcotic contraband was effected from the car, have already been granted concession of regular bail. Accordingly, this Court deems it



appropriate to grant concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**.

Petitioner 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.

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

10. 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.

11. 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.

12. Petition stands **disposed of**.

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

(SANJAY VASHISTH)
JUDGE

March 05, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No