



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

122

**CRM-M-47185-2025
Date of decision: 19.03.2026**

SUKHWINDER KUMAR ALIAS HONEYPetitioner

VERSUS

STATE OF PUNJABRespondent

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

Present: - None for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 0088 dated 29.04.2025, registered under Section(s) 22 and 29 of the NDPS Act, 1985 at Police Station City Phagwara, District Kapurthala.

2. The present FIR was registered against Kulveer Kainth @ Babbu and Akash on recovery of 85 intoxicant tablets from them. The petitioner herein was nominated as an accused vide rapat No. 16 dated 30.04.2025 under Section 29 of the NDPS Act, 1985.

3. It has been averred in the petition that a false case has been planted against the petitioner, as the police officials had been demanding a bribe. An FIR No. 58 dated 23.05.2025 had been registered under Section 7 of the Prevention of Corruption Act against the police officials at Police Station Sadar Phagwara on the statement of the petitioner herein. It is alleged that he was compelled to withdraw his statement and with a view to pressurize him, 103 grams of intoxicant substance was planted upon the petitioner. It is further averred that the accused police officials in FIR No. 58 dated 23.05.2025 had applied for grant of bail, which was dismissed by the Court of Additional Sessions Judge, Kapurthala and in a grudge, the false recovery has been planted.

4. Learned State counsel contends that the petitioner herein had moved an application for interim bail registered as BA/2142/2025. The said application was decided on 17.10.2025 and an interim bail was granted to the petitioner by Judge, Special Court, Kapurthala subject to the conditions that if the report of the Chemical Examiner states that the seized substance falls under the commercial quantity, the petitioner shall be required to surrender before the Court and in case, after receipt of the Chemical Examiner's report, the substance is less than the commercial quantity, the interim bail shall be deemed to be confirmed. The operative part of the order dated 17.10.2025 passed by Judge, Special Court, Kapurthala is reproduced as under:-

“It is further made clear that the concession of interim bail would be conditional and this application will be deemed to be dismissed in case the report of Chemical Examiner is received and the substance falls in commercial quantity; and the accused/applicant shall surrender before the court. In case after receipt of the chemical examiner report,

substance is less than commercial quantity, the interim bail shall be deemed to be confirmed.”

5. Learned State Counsel contends that the Chemical Examiner’s report has been received and the seized substance is an intermediate quantity. He thus submits that in view of the order dated 17.10.2025 and the directions given in Para No.6 thereof, the order of interim bail already becomes absolute.

6. The present petition is accordingly disposed of as having been rendered infructuous, at this stage, in view of the aforesaid order dated 17.10.2025.

MARCH 19, 2026

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

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