



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

**(226)**

**CRM-M-49855-2025(O&M)  
DATE OF DECISION: 09.02.2026**

Jivtesh Sethi

.....Petitioner

**VERSUS**

State of Punjab

.....Respondent

**CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present Mr.Arn timer Sood, Advocate, for the petitioner.  
Mr.Surinderjit Singh Nahar, AAG, Punjab.

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**SUBHAS MEHLA, J (ORAL)**

1. By way of present petition, petitioner is seeking regular bail in case FIR No.0064 dated 06.03.2025, under Sections 21,22,29,59(2) and Sections 27 and 27A of NDPS Act and Section 111 of BNS added later on registered at Police Station Anti Narcotics Force, Police Station City, District Hoshiarpur, during the pendency of trial.

2. Learned counsel for the petitioner contended that the petitioner has been falsely involved in the present case; no recovery of any incriminating material has been effected from the petitioner; allegation against the present petitioner is that he along with co-accused is involved in a racket of drug trafficking inside the jail; on similar footings, this Court has allowed the bail petition of co-accused Keshav Bawa and Sunder @ Michael, vide order dated 13.11.2025, passed in CRM-M-40720-2025; nothing is recovered from the petitioner; petitioner is in custody since 06.03.2025; investigation qua him has been completed and challan presented; trial will take long time, hence, prayer for grant of regular bail to the petitioner is made.



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3. On the other hand, Status Report by way of affidavit of Navneet Kumar, PPS, Deputy Superintendent of Police, Anti Narcotics Task Force, Investigation, SAS Nagar filed by learned State counsel in Court today is taken on record. Learned State counsel opposed the prayer made by counsel for the petitioner and submitted that the petitioner is actively involved in a drug racket, which provides narcotic and psychotropic substances in the jail and he is involved in four other cases including one under NDPS Act; learned State counsel fairly admitted that investigation qua him is complete and co-accused namely Keshav Bawa and Sunder @ Michael have already been granted concession of regular bail. As such, learned State counsel prayed for dismissal of the present petition.

4. Heard.

5. Keeping in view the facts and circumstances of the case and the fact that investigation qua the present petitioner has already been completed; petitioner is in custody since 06.03.2025 i.e for the last eleven months; co-accused have already been granted concession of regular bail; nothing is recovered from him; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the

case, the instant petition is allowed. The petitioner is ordered to be released



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on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

09.02.2026 (SUBHAS MEHLA)  
mamta JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |