



CRM-M-51674-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-51674-2025
Decided on : 16.03.2026

Rajinder Kumar

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Rajat Sharma, Advocate for
Mr. Inderjit Sharma, Advocate
for the petitioner(s).

Mr. Jasdeep Singh Gill, Addl. A.G., Punjab

SANJAY VASHISTH, J. (Oral)

1. The instant 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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Rajinder Kumar	90	25.06.2025	21(b), 27(A) of NDPS Act, 1985	Kalanaur	Gurdaspur

2. On 22.01.2026, the following was recorded :

- (i) *The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner – Rajinder Kumar, who has been booked for having committed the offence punishable under Sections 21(b), 27(A) of NDPS Act, 1985, in FIR No.90, dated 25.06.2025, registered at Police Station Kalanaur, District Gurdaspur.*
- (ii) *Petitioner was found in possession of 16 grams of heroin along with drug*

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money of Rs.2830, which he allegedly earn by sale of heroin. He is inside jail for the last about 07 months. The alleged quantity of heroin recovered is much less to the maximum of non commercial quantity, which requires to be more than 250 grams. After completion of investigation challan has not been submitted there.

- (iii) While opposing the prayer for bail, learned State counsel points out that earlier also petitioner was found involved twice in similar kind of offences, wherein, in one case, he was granted probation because the recovered quantity was small and in another case, after holding the guilty, he was awarded the sentence, he has been sentenced for the period already undergone, i.e., 24 days.*
- (iv) Custody certificates, dated 21.01.2026, has been filed in the registry, same is taken on record. A copy there of has been handed-over to the opposite counsel.*
- (v) Learned State counsel points out that as per custody certificate, petitioner was earlier convicted twice in similar kind of offences under the NDPS Act. Petitioners counsel prays for some to address arguments in this regard.*
- (vi) List again on 21.04.2026.”*

3. At the very outset, learned counsel for the petitioner submits that the petitioner has already been released on bail (default bail) due to delay in submission of challan and the present petition has been rendered infructuous and the same may be disposed of as such.

4. Ordered accordingly.

March 16, 2026*reena*

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

**(SANJAY VASHISTH)
JUDGE**