

2026 PHHC 028177-DB



CRM-M-58280 of 2024

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

**CRM-M-58280 of 2024
Date of decision: 23.02.2026**

RAJIV KUMAR @ RAJEEV KUMAR BHARWAJ
.....Petitioner

V/S

STATE OF PUNJAB
... Respondents

**CORAM: HON’BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON’BLE MR. JUSTICE SANJIV BERRY, JUDGE**

Present: Mr. Jasdev S. Mehndiratta, Senior Advocaten with,
Mr. Vikram Satpal, Advocate for the petitioner.
Mr. Salil Sabhlok, Senior Deputy Advocate General, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner, who is in custody since 06.02.2023 and is facing trial, has filed the present first petition seeking grant of regular bail in FIR No. 45 dated 03.03.2013, registered U/Ss 21, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, “NDPS Act”). (Subsequently, Sections 22, 25, 27-A and 29 of the NDPS Act were added). The FIR also includes offences under Sections 420, 467, 468 and 471 IPC, to which Sections 201 and 120-B IPC were later on added, along with Sections 25, 54 and 59 of the Arms Act, registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib, Punjab.
2. The custody certificate dated 26.01.2026, filed by learned counsel for the State of Punjab, is taken on record.
3. Learned counsel for the State of Punjab submits that the offences involved are punishable with a maximum sentence of ten years.

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4. It is further submitted that after filing of the chargesheet, charges were framed against the petitioner on 12.08.2024. It is pointed out that the petitioner had absconded for nearly ten years and was declared as proclaimed offender before being arrested on 06.02.2023.

5. Learned State counsel further submits that the prosecution evidence stands concluded and the matter is now pending for submission of the list of defence witnesses by the petitioner.

6. In view of above facts, particularly the long period of absconsion and considering that the offences under the NDPS Act, carry higher punishment, for repeat offences (earlier conviction under NDPS Act), this Court is of the considered view that, at this stage, no ground for grant of regular bail is made out. Accordingly, the prayer for bail is declined for the present.

7. However, liberty is granted to the petitioner to approach this Court again if the trial gets further delayed.

8. Present petition is, accordingly, dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

23.02.2026

Kamal Gandhi

Whether speaking/reasoned Yes/No
Whether reportable Yes/No