



CRM-M-57723-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on : 23.03.2026

Vishal alias Visaal

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ruhani Chadha, Advocate
for the petitioner(s).
Mr. Manjinder Singh Bhullar, DAG Punjab

SANJAY VASHISTH, J. (Oral)

1. The 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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Vishal @ Visaal, aged 19 years	29	11.04.2024	21/29/61 of NDPS Act, 1985	City Dhuri	Sangrur

2. First plea of bail was declined by the Coordinate Bench of this Court vide order dated 07.07.2025, passed in CRM-M-5231-2025 (O&M) (Annexure P-2), awaiting examination of main prosecution witnesses.

3. Since, none of the witnesses has been examined petitioner has filed present second petition before this Court. As per the case in FIR, on 11.04.2024, one secret information was received at 1:30 PM, against four suspects, namely, (i)



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Vishal Kumar, (ii) Gurpreet Singh @ Gopi, (iii) Ranvir Singh @ Nannu, and (iv) Aashu that all four of them are together in a Swift Car bearing registration No. DL-5C-1512 and can be apprehended with large quantity of drugs (heroin/chitta).

During investigation, 280 grams of heroin, along with Rs.3.00 lacs as drug money was recovered, which was in a black coloured plastic bag lying near the gear liver. Thus, recovered Heroin allegedly was in the conscious possession of all the accused.'

During investigation it also came out that some more persons are also involved in the conspiracy. Thereby consignment was to be handed-over to Vicky for its further sale. Already 150 grams of heroin had been sold out at the rate of Rs.2000/- per gram.

4. Learned counsel for the petitioner relies upon the zimni orders that despite presentation of challan and framing of charges on 26.09.2024, trial has not proceeded much, and delay is caused by the prosecution itself. Either the accused were not produced before the Court or the witnesses have failed to appear for deposing in the case. Petitioner is inside jail for the last more than a period of about 01 year and 11 months. And thus, entitled for bail as the quantity of Heroin recovered is only 30 grams more than the maximum of non-commercial quantity i.e. 250 grams.

5. On the other hand, learned State counsel has filed the custody certificate dated 22.03.2026, in Court today, which is taken on record. Copy thereof has been handed over to the opposite counsel.

6. Besides, status report dated 14.01.2026 is already available on record.

7. Learned State counsel, while vehemently opposing the prayer for bail,



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submits that in view of the nature of allegations and the gravity of the offence, the petitioner, though of a young age, does not deserve any leniency. It is further contended that the quantity of the recovered narcotic contraband falls within the category of 'commercial quantity'.

It is further submitted that the situation prevailing in the State of Punjab, owing to the menace of drugs, is deteriorating day by day, and the youth is on the verge of being gravely impacted by this growing menace.

8. As per status report, It is admitted position that no criminal antecedents are found recorded against the petitioner. It is also clarified that petitioner is in jail for the last 01 year, 11 months and 07 days and out of total 14 prosecution witnesses, 03 have been examined, 11 witnesses are yet to be examined.

9. This Court has heard the submissions addressed by learned counsel for the parties and has carefully perused the record available before it.

10. Considering all the circumstances in its entirety especially the age of petitioner i.e. 19 years and the fact that he has clean antecedents in the past, this Court does not deem it appropriate to detain the petitioner inside jail for an indefinite period.

11. 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.

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

13. The observation made here-in-above shall not be construed as an



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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.

14. 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.

15. Petition stands disposed of.

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

(SANJAY VASHISTH)
JUDGE

March 23, 2026

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