

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

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2026:PHHC:046144

**CRM-M-65490-2025 (O&M).****Date of decision: 24.03.2026.****TARUN KUMAR****...Petitioner(s)****VERSUS****STATE OF PUNJAB****...Respondent(s)****CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present :- Mr. Pankaj Garg, Advocate, and
Mr. Sarvesh Singla, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This petition has been filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.37 dated 13.07.2025, under Section(s) 21 and 29 of the
Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police
Station Handsera, District S.A.S. Nagar, Mohali.

Aforesaid FIR was registered on the complaint of Sub Inspector
Jeewan Singh made to the effect that on the date of incident, they were on
patrolling duty. At around 3:00 P.M., they saw one car Mahindra Thar bearing
registration No.PB-16-H-4215 coming from the side of Ambala Cantt.
towards Handsera side. The driver of the car, after noticing the police party,

stopped this car and one person from the driver side came out of the same who from right pocket of his pant took out a transparent plastic bag and threw it on the land. The person from the front seat also came and tried to run away. They were apprehended by the police whereupon they disclosed their names as Surjit Singh and Tarun Kumar (petitioner herein). 52 grams of methamphetamine (Ice) was recovered from the plastic bag thrown by co-accused Surjit Singh from his pocket. The same being a commercial quantity (prescribed 50 grams is commercial), the petitioner along with co-accused Surjit Singh was taken in custody on 13.07.2025.

Learned counsel appearing on behalf of the petitioner contends that the petitioner has clean antecedents and is not involved in any other case. He contends that even as per the case of the prosecution, methamphetamine was in the pocket of co-accused Surjit Singh who threw away the same on seeing the police party. It is contended that there would thus be arguable issues with respect to actual knowledge of the petitioner and as to whether the said contraband can be said to be in joint possession of the petitioner herein and the same is to be determined at the stage of the trial. He contends that the investigation in the case is already complete and challan has been presented on 06.01.2026. He also contends that the charges are yet to be framed and there are total 13 witnesses to be examined by the prosecution.

State counsel, on the other hand, contends that the petitioner was apprehended while accompanying the co-accused. He is stated to belong to Uttar Pradesh and there were no compelling circumstances under which he was present in the area of Handsera S.A.S. Nagar. It is contended that an attempt on the part of the petitioner herein to run away on seeing the police

party also raises suspicion about his involvement in the offence. The period of custody, nature of allegations and clean antecedents as well as the stage of the trial are, however, not disputed.

Having heard the counsel for the respective parties and without commenting anything on the merits of the present case and further taking into consideration the nature of allegations against the petitioner, the period of custody already undergone by him, his young age of 29 years and the stage of the trial which is yet to commence and charges are yet to be framed and also bearing in mind the clean antecedents of the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

March 23, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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