

2026.PHHC.028251



CRM-M-65923-2025

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

119-A

CRM-M-65923-2025 (O & M)

Date of decision: 23.02.2026

RAHUL KUMAR ALIAS CHUHI

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sumit Dua, Advocate, for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 483 BNSS for grant of regular bail to the petitioner in FIR No.99 dated 25.07.2025, registered at Police Station Division No.7, District Jalandhar, under Section 21 NDPS Act, (later on added Section 29 NDPS Act).

2. Learned counsel contends that the petitioner is in custody for 4 months and 13 days. He alleges false implication. His name surfaced based on the disclosure statement of co-accused, Paras, who has since been granted default bail. However, recovery effected from the petitioner is non-commercial quantity, it being 11 grams of heroin. The main accused Jatin, who was apprehended at the spot alongwith non-commercial quantity of contraband, has since been granted bail by this Court, vide order Annexure P-3. Charges have been framed on

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12.02.2026, however none out of 11 PWs has been examined. He is not involved in any other case.

3. Learned State counsel opposes the bail on the ground that there are specific allegations levelled against the petitioner by his co-accused of having supplied the contraband. However, he is unable to controvert the submissions with regard to stage of the case; the petitioner being not involved in any other case and the co-accused having been released on bail.

4. Heard.

5. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 4 months and 13 days; not involved in any other case; co-accused are on bail; charges stand framed on 12.02.2026; prosecution evidence has to commence; in all there are 11 PWs; the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

6. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.

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- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

8. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

23.02.2026

parveen kumar

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

(AMAN CHAUDHARY)
JUDGE