



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

125

CRM-M-68921-2025  
Decided on : 10.03.2026

Deepak Bhalla @ Kala . . . Petitioner(s)  
Versus  
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Jitender Singh Dadwal, Advocate  
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.  
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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 here-under:-

| Name of Petitioner(s) | FIR No. | Date       | Section(s)                       | Police Station | District |
|-----------------------|---------|------------|----------------------------------|----------------|----------|
| Deepak Bhalla @ Kala  | 0055    | 11.05.2025 | 21, 29, 61, 85 of NDPS Act, 1985 | Basti Jodhewal | Ludhiana |

2. As per the allegations, 270 grams of heroin was recovered from the co-accused of the petitioner, namely Amandeep Singh, who, on seeing the police party, took out a polythene bag from the pocket of his trouser and threw the same on the ground.

Besides above, in the status report dated 02.02.2026 filed by the State in the Registry and available on the record of the case, the following has been recorded:-

*“Accordingly the police party reached at the said place where the petitioner and his co-accused were sitting on the above said Activa. The*



*present petitioner was sitting on the front of the seat and his co-accused was sitting behind but on seeing the police party, co-accused Amandeep Singh threw onto the ground a heavy Polythene Bag from the pocket of his trouser. After completion of provisions of Section 50 of NDPS Act, the said polythene bag was checked during which 270 grams Heroine was recovered from the same. Accordingly the petitioner and his co-accused were arrested on 11.05.2025. The above name of one Deepak alias said Activa was in the Maamu son of Das Ram and he was also nominated as accused.”*

3. Further, in the aforesaid status report, in Column D – CHARACTER ANTECEDENTS OF THE PETITIONER, following has been recorded:-

*“The petitioner is a habitual offender and apart from the present FIR, the following FIRS have also been registered against the petitioner:-*

- (i) FIR No.50/2018, u/s 21 of NDPS Act, P.S. Doraha Ludhiana. (Trial pending).*
- (ii) FIR No.86/2021, u/s 21 of NDPS Act, P.S.Tibba Ludhiana. (Trial pending).*
- (iii) FIR No.20/2024, u/s 21 of NDPS Act, P.S.Ladowal, Ludhiana. (Trial pending).”*

4. Learned counsel for the petitioner submits that in none of the aforesaid cases the petitioner has been convicted till date; rather, he has already been granted bail in all the aforementioned cases. He further submits that since nothing has been recovered from the petitioner and the alleged recovery of 270 grams of heroin has been effected from the co-accused – Amandeep Singh, the question as to whether the petitioner can be held liable would depend upon the determination of conscious possession and knowledge of the contraband allegedly kept by the co-accused in his pocket, which can only be adjudicated during the course of trial. Besides, petitioner is already in custody for a period of more than 09 months and the charges



are yet to be framed, though the investigation stands completed. In this manner, the conclusion of trial is likely to take considerable time.

5. On the other hand, learned State counsel though vehemently opposes the prayer for bail, however, he fairly concedes the factual assertions made and noticed here-above.

6. Heard.

7. Considering the factual aspects, as noticed here-above, that in the present case the recovery of 270 grams of heroin has been effected from the co-accused – Amandeep Singh and not from the petitioner, and that the question as to whether the petitioner was having knowledge regarding conscious possession of the contraband allegedly kept by the co-accused is a matter to be determined during the course of trial, I do not deem it appropriate to continue the detention of the petitioner any longer.

It is also noticed that the petitioner is inside the jail for a period of about more than 09 months and even though the investigation stands completed, charges are yet to be framed and, therefore, conclusion of trial is likely to take some time. Although the status report reflects that the petitioner is involved in certain other cases under the NDPS Act, however, it is not disputed that the petitioner has not been convicted in any of those cases and has already been granted bail therein.

8. Considering the totality of circumstances, including the nature of allegations and quantity of contraband allegedly recovered, the period of custody already undergone by the petitioner, status of his antecedents, as reflected from the record, and without commenting on the merits of the case, this Court deems it appropriate to extend the concession of regular bail to the petitioner.



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.

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

10. Any of the discussion done and recorded here-above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

11. 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.

12. Petition stands **disposed of**.

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

(SANJAY VASHISTH)  
JUDGE

**March 10, 2026**

*J.Ram*

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