



CRM-M-69558-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-69558-2025
Decided on : 23.02.2026

PRABHJOT SINGH ALIAS BOBBY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vipin Mahajan, Senior Advocate, with
Ms. Manju, Advocate,
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. Present petition has been filed by the petitioner, seeking grant of regular bail, in case, FIR No.112, dated 06.06.2020, under Sections 22, 29 of NDPS Act, registered at Police Station Kotwali, District Kapurthala.

2. In the present case, on 06.06.2020, in the area of Village Bheela, Police Station Kotwali, Kapurthala, 13 small intoxicant injections and 13 large intoxicant injections, without any label, were allegedly recovered from the possession of the petitioner.

3. Vide order dated 04.07.2020, petitioner was granted the concession of interim bail by the Court of learned Special Judge, District Kapurthala, as the FSL report had not been received at that time.

4. Learned Senior Counsel for the petitioner submits that during the period he was on interim bail, petitioner sustained multiple



grievous injuries in an incident involving certain antisocial elements. In this regard, FIR No.53 dated 26.05.2021, under Sections 307, 452, 148 and 149 IPC, was registered at Police Station Shri Hargobindpur, District Gurdaspur, at the instance of his mother, Kanwaljit Kaur.

Counsel refers to the photographs of the injuries (Annexure P-5) and the discharge card (Annexure P-6) to substantiate the nature and severity of the injuries.

5. It is further submitted that owing to these serious injuries, petitioner could not appear before learned trial Court and was consequently declared a proclaimed offender, vide order dated 01.02.2025 (Annexure P-7).

6. Learned Senior counsel submits that petitioner was taken into custody on 17.09.2025, and thereafter filed an application for regular bail, which was dismissed by learned trial Court, vide order dated 01.12.2025 (Annexure P-8).

7. Referring to the FSL report dated 21.09.2020 (Annexure P-3), learned Senior Counsel submits that the 13 unlabeled glass injection ampoules were found to contain Buprenorphine Hydrochloride at a concentration of 0.27 mg/ml, with a total quantity of 26 ml, whereas the maximum prescribed non-commercial quantity is 20 ml. The second set of 13 unlabeled glass injection vials was found to contain Pheniramine Maleate, which, does not fall within the ambit of the NDPS Act.

8. He further places reliance upon the judgments passed by this Court in (i) **Kuldeep Ram vs. State of Punjab (CRM-M-20860-2025, decided on 05.08.2025)**, (ii) **Rinku vs. State of Punjab (CRM-M-65446-**



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2025, decided on 27.11.2025), and (iii) Sewa Singh @ Rana vs. State of Punjab (CRM-M-58865-2025, decided on 28.01.2026).

On the basis of the aforesaid submissions, learned Senior Counsel prays for grant of regular bail to the petitioner in the present case.

9. On the other hand, learned State counsel has filed custody certificate dated 22.02.2026 in the Court today and the same is taken on record.

As per the custody certificate, petitioner has already undergone inside jail for a period of 06 months and 29 days, and he is not involved in any other criminal case.

10. Learned State counsel has also filed status report dated 22.02.2026 in the Court today and the same is taken on record.

11. Opposing the grant of regular bail to the petitioner, learned State counsel submits that petitioner was apprehended in possession of contraband, i.e. 13 small unlabelled intoxicating injections and 13 large unlabelled vials of intoxicating injections, without any valid permit or licence.

It is further submitted that petitioner was granted interim relief prior to the receipt of the FSL report, concerning the recovered contraband. However, upon receipt of the FSL report, the interim relief was cancelled. Despite this, petitioner failed to surrender or appear before the trial Court and remained absent during the trial proceedings. Consequently, he was declared a proclaimed offender.



12. Learned State counsel contends that petitioner has already misused the concession of bail once and, therefore, there is a strong likelihood that he may abscond again if released on bail.

In view of the aforesaid facts, it is argued that role of the petitioner in the present case is clearly established. Moreover, the offences alleged in the FIR are serious in nature and involve crimes against society at large. Accordingly, it is submitted that petitioner does not deserve the grant of any relief from this Court.

13. This Court has heard the submissions of learned counsel for the parties and has perused the record available on file.

14. Undoubtedly, the contraband recovered from the petitioner's possession comprises 13 unlabeled glass injection ampoules containing Buprenorphine Hydrochloride at a concentration of 0.27 mg/ml, with a total quantity of 26 ml, exceeding the prescribed non-commercial limit by only 6 ml.

15. In view of the totality of circumstances, nature of the allegations against the petitioner, and the factors noticed here above, including the period of incarceration already undergone by him, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

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.



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

17. 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.

18. 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.

19. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

23.02.2026

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO