



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

224

**CRM-M-70721-2025
Date of decision: 15.01.2026**

ABHISHEK SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Kanwar Arun Singh, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant second petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail to the petitioner in case bearing FIR No. 0029 dated 01.03.2025, registered under Section(s) 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Tibba Ludhiana (Section 29, 61, 85 of the Narcotics Drugs and Psychotropic Substances Act, 1985 was added later on) at District Police Commissionerate Ludhiana.

2. As per the prosecution case, on 01.03.2025 S.I. Kulwinder Singh, alongwith other police officials, was on routine patrolling duty in search of bad elements in the area of Gopal Nagar Chowk, Ludhiana. When

the police party reached near the T-point of Mahavir Colony, they noticed two young boys approaching on foot, each carrying a polythene bag. On noticing the police party, they became suspicious, tried to turn back and threw away the Polythene bags being carried by them. They were apprehended on suspicion and upon inquiry disclosed their names as Abhishek Singh and Akash Yadav. On checking of the said Polythene bags thrown by Abhishek Singh, 480 intoxicant tablets make Alprazolam Tablets 05mg bearing Batch No.010124-BG-193, Mfg. Date Jan.2024 Expiry Date Dec. 2026 were recovered. From the Polythene thrown bag by Akash Yadav, 360 intoxicant tablets make Alprazolam Tablets 05mg bearing Batch No. ENT 36, Mfg. Date 06/2024 Expiry Date 05/2026 were recovered. Thus, a joint recovery of 840 intoxicant tablets containing Alprazolam had been effected. As per the FSL report the recovered tablets were found to contain 98 grams Alprazolam. Although, the said recovery does not fall within the ambit of commercial quantity but is very high and proximate to the threshold of commercial quantity.

3. Learned Counsel appearing on behalf of the petitioner contends that the earlier bail application of the petitioner was dismissed as withdrawn on noticing that the recovered contraband was commercial in nature. He contends that the aforesaid impression of the Counsel for the petitioner was incorrect inasmuch as a total of 480 intoxicant tablets make Alprazolam 0.5 mg bearing batch No. 010124-BG-193 Mfg dated 06/2024 Expiry date 05/2026 had been recovered from the petitioner herein while 360 tablets had been recovered from co-accused Akash Yadav. Thus, a joint recovery of 840 intoxicant tablets containing Alprazolam weighing 98 grams had been effected. He contends that the recovery having been effected separately, the

total weight of the quantity could not have been taken into consideration for determining the quantity of contraband in conscious possession of the petitioner. He further submits that insofar as co-accused Akash Yadav is concerned, he has already been granted the concession of regular bail vide order dated 30.09.2025 passed in CRM-M-54207 of 2025. Hence, even for the said reason, the total weight of the contraband could not be solely attributed to the petitioner. He submits that the petitioner is in custody since 01.03.2025 and has already undergone an actual custody of more than 10 months and he is not involved in any other case. It is further submitted that none of the witnesses out of the total 12 witnesses cited by the prosecution have been examined so far and as such the trial is likely to take a long time to conclude.

4. Counsel for the respondent-State does not dispute the period of custody undergone by the petitioner and also the fact that the petitioner is not involved in any other case.

5. Having heard learned Counsel appearing on behalf of the parties and upon taking into consideration that the recoveries attributed to the accused are separate, the total recovery being 98.28 grams, of which the contraband recovered from the petitioner being 480 intoxicant tablets weighing 56.0 grams and being non-commercial quantity, the co-accused having been granted bail vide order dated 30.09.2025, the stage of trial which has yet not commenced and 12 witness are yet to be examined and bearing in mind the clean criminal antecedents of the petitioner, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.
7. 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.
8. 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.

JANUARY 15, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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