

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2026.PHHC.025795



CRM-M-72547-2025 (O&M)
Date of decision: 18.02.2026.

AZAD KUMAR

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present :- Mr. Parminder Singh Sekhon, Sr. Advocate, with
Mr. Sweedel Goyal, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.116 dated 31.05.2025, under Section(s) 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Sunam, District Sangrur.

The present case has been registered on the basis of secret information to the effect that Narinder Kumar @ Pappu son of Leela Ram had

been indulging in the business of selling intoxicating tablets in the area of Sunam. The police laid down a barricading and thereafter apprehended Narinder Kumar @ Pappu as the seller of contraband. 300 tablets of Buprenorphine were recovered from Narinder Kumar @ Pappu and during the course of investigation, he nominated his son i.e. the petitioner herein and on the basis of the said disclosure statement, the petitioner herein was arrested. 50 tablets of Buprenorphine weighing 5.6 grams were recovered from the conscious possession of the petitioner.

Learned senior counsel appearing on behalf of the petitioner submits that the recovered quantity from the petitioner is not commercial in nature. He submits that the petitioner is in custody since 02.06.2025 and has already undergone actual custody for a period of more than 08 months. He submits that the petitioner has clean antecedents and is not involved in any other case. He further submits that even though the charge in the present case was framed on 26.09.2025, however, out of 16 witnesses cited by the prosecution, none has been examined so far, hence, the conclusion of trial shall take long.

State counsel does not dispute the facts as noticed above. He, however, contends that the total recovered quantity from the co-accused Narinder Kumar @ Pappu as well as the petitioner herein is 350 tablets and that the total weight of the tablets taken combined, the same would fall under commercial quantity.

Having heard the learned counsel for the parties and taking into consideration the clean antecedents of the petitioner, the arguable issue with respect to the liability of the petitioner also arising on account of the

contraband recovered from Narinder Kumar @ Pappu-father of the petitioner, that the contraband recovered from the petitioner herein is non- commercial and also bearing in mind the period of actual custody undergone by the petitioner as well as the stage of the trial where no witness has been examined so far, I deem it appropriate to allow the present petition. Accordingly, 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.

February 18, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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