



CRM-M-72805-2025 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M-72805-2025 (O&M)
Decided on : 04.05.2026

IRFAN KHAN

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Honey Passi, Advocate,
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Irfan Khan, aged about 33 years	19	03.03.2023	22/29 of NDPS Act	Moonak	Sangrur

2. FIR in the present case was registered on 03.03.2023. During the course of investigation, recovery of 2,500 tablets of Tramadol and 15,600 tablets of Alprazolam (total 18,100 tablets) was effected from co-accused Sandeep Singh @ Sipa. After his arrest, his disclosure statement

**CRM-M-72805-2025 (O&M) 2**

was recorded, pursuant to which Resham Singh and Pawan Kumar Sharma were nominated as co-accused in the present case.

It is further the case of prosecution that on the basis of batch numbers of the recovered contraband tablets, it has been revealed that the same were manufactured by a company namely “Pure and Cure Health Care Private Limited”, which had sold the said medicines to another pharmaceutical company, “M/s Plenteous Pharmaceutical Pvt. Ltd.”. The said company further supplied the stock to Anand Medicines, Lucknow, which in turn, through a debit note, sold the same to “M/s Chetan Medical Agency, Main Road, Jattari, District Aligarh”. Thus, it is alleged that Chetan Kumar @ Chetan Kumar Aggarwal, who was running the said medical agency, supplied the contraband bearing the relevant batch number, which was ultimately recovered from Sandeep Singh @ Sipa, the main accused.

3. Learned counsel for the petitioner submits that petitioner has been implicated solely on the basis of disclosure statements made by the co-accused namely Resham Singh, Sandeep Singh @ Sipa, and Pawan Kumar Sharma, alleging therein that petitioner had supplied 1,300 boxes of the said tablets, which were initially purchased by him from Chauhan Enterprises, Mansarovar Yojna, Kanpur Road, LDA Colony, Lucknow (U.P.), and thereafter 2,500 intoxicant tablets were further supplied by him to the accused persons named in the FIR.

It is further submitted that petitioner is in judicial custody since 27.08.2025. In the interregnum, he was also granted the concession



CRM-M-72805-2025 (O&M) 3

of interim bail for a period of eight weeks vide order dated 27.02.2026, which was never misused by him.

It is further contended that petitioner's implication is based solely on disclosure statements, and no narcotic contraband was recovered from his possession at the time of his arrest.

4. It is also submitted that owner of Chetan Medical Agency, namely Chetan Kumar @ Chetan Kumar Aggarwal, has been granted the concession of interim anticipatory bail by this Court, vide order dated 07.11.2025 passed in CRM-M-62515-2025 (Annexure P-2), which was subsequently confirmed, vide order dated 23.03.2026.

Similarly, co-accused Resham Singh has been granted regular bail by a Co-ordinate Bench of this Court, vide order dated 03.11.2023 passed in CRM-M-53573-2023 (Annexure P-3); co-accused Sandeep Singh @ Sipa has been granted regular bail, vide order dated 29.07.2025 passed in CRM-M-13654-2025 (Annexure P-4); and co-accused Pawan Kumar Sharma has also been granted regular bail, vide order dated 08.02.2024 passed in CRM-M-5702-2024 (Annexure P-5).

5. Lastly, it is submitted that petitioner is suffering from a locomotor disability of 65%, as evidenced by the Disability Certificate/ID card annexed as Annexure P-6. Thus, counsel prays for grant of regular bail to the petitioner in the present case.

6. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 03.05.2026 in Court today, which is taken on record. Office to tag



the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 06 months and 05 days period inside jail.

7. Learned State counsel is unable to dispute any of the factual assertion as stated by counsel for the petitioner today before this Court. However, he prays for dismissal of the present petition.

8. This Court has heard the submissions advanced by learned counsel for the parties and has also perused the record available before it.

9. During the course of hearing, learned State counsel is unable to point out any cogent or firm evidence to substantiate the allegation that it was the petitioner who had allegedly purchased 1,300 boxes or that 2,500 intoxicant tablets were supplied by him to the accused named in the FIR. At this stage, the said aspect appears to be a disputed question of fact, which would require adjudication on the basis of evidence during the course of trial. Moreover, no material has been brought on record to suggest any regular or contemporaneous telephonic communication between the petitioner and the co-accused, particularly around the time of recovery of the alleged contraband.

It is further noticed that co-accused Chetan Kumar @ Chetan Kumar Aggarwal has already been granted the concession of interim anticipatory bail by this Court, vide order dated 07.11.2025 passed in CRM-M-62515-2025 (Annexure P-2), which was subsequently confirmed, vide order dated 23.03.2026. Likewise, all the other named co-accused in the FIR have also been granted the concession of regular



bail by the Co-ordinate Bench of this Court (Annexures P-3 to P-5) [supra].

10. In the backdrop of the aforesaid facts, and particularly considering that petitioner is suffering from locomotor disability to the extent of 65%, this Court cannot lose sight of the fact that petitioner was earlier granted interim bail for a period of about eight weeks, which was not misused by him. In these circumstances, this Court finds no substantial justification for keeping the petitioner inside jail for an indefinite period.

Therefore, considering the totality of circumstances, nature of allegations levelled against the petitioner, and the factors discussed here above, this Court deems it appropriate to grant the concession of 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.

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

12. 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



CRM-M-72805-2025 (O&M) 6

independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

13. 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.

14. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

04.05.2026

Lavisha

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