



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

236

CRM-M-75-2026 (O&M)

Date of decision: 14.01.2026

Suraj Kumar

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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

Present :- Ms. Bisman Mann, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.15 dated 02.03.2025, registered under Section(s) 22(b), 27(a), 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 223 of the Bharatiya Nyaya Sanhita, 2023 at Police Station Sadiq, District Faridkot.

2. Briefly summarized, the facts of the present case are that:-

“5) *The prosecution case in brief is that on 02.03.2025, SI/SHO Sukhdarshan Sharma along with other police party was going towards grain market, Sadiq in connection with patrolling duty and checking of suspects. At around 04:30 PM, accused Seema Kumari along with co-accused Suraj Kumar (applicant) was intercepted on suspicion. During search, 03 strips of intoxicant tablets marka NRX Etizolam & Propranolol*

Hydrochloride each containing 10 tablets i.e., total 30 tablets and 10 strips of capsules marka Pregabalin Capsules IP 300 mg Ambanyl each containing 10 capsules i.e. total 100 capsules, were recovered from accused Seema Kumari, while during search of accused Suraj Kumar, drug money amounting to Rs.10,000/- (02 currency notes of Rs.500/-, 17 currency notes of Rs.200/-, 40 currency notes of Rs.100/- and 32 currency notes of Rs.50/-) was recovered.”

3. Learned counsel for the petitioner contends that 03 strips of Etizolam and Propranolol Hydrochloride, each containing 10 tablets, i.e. total 30 tablets and 10 strips of Pregabalin Capsules IP 300 were recovered from an envelope that was being held by Seema Kumari, wife of the petitioner herein. She contends that as far as Pregabalin Capsules are concerned, the same is not a scheduled drug or a psychotropic substance and hence, would not attract an offence under the Narcotic Drugs and Psychotropic Substances Act, 1985. She contends that the recovery of 30 tablets of Etizolam had been effected from Seema, who has already been granted the concession of regular bail vide order dated 12.12.2025 passed by this Court. She contends that the petitioner is not involved in any other criminal case and has been in custody from 02.03.2025 till 15.04.2025 and from 24.07.2025 till the present. She contends that after completion of the investigation, the final report was filed on 24.07.2025, whereafter charges were framed on 01.10.2025. She contends that out of 14 prosecution witnesses, no one has been examined so far and the trial is likely to take a long time in its conclusion.

4. Learned counsel for the respondent-State does not dispute the aforesaid factual aspects.

5. Taking into consideration the period of actual custody undergone by the petitioner, the absence of actual recovery from the conscious possession of the petitioner, the factum of co-accused/Seema having already been granted the concession of regular bail, the stage of trial and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness 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.

(VINOD S. BHARDWAJ)
JUDGE

14.01.2026

Mangal Singh

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