

CRM-M-70149 of 2025(O&M)

-1-

2026:PHHC:000829

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-70149 of 2025(O&M)

Date of Order:08.01.2026

Ajay Kumar

.Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sumit Dua, Advocate, for the petitioner.
Mr. Jasdeep Singh, Addl.A.G., Punjab.

SANJAY VASHISTH, JUDGE

Petitioner-Ajay Kumar has filed the instant petition for grant of interim bail for a period of two months under Section 483 of BNSS, in case FIR No.180, dated 22.09.2025, registered under Section 22 of the NDPS Act at Police Station Division No.1, District Jalandhar, on the premise that wife of the petitioner was in a family way and recently on 05.01.2026 has been blessed with a child. Further clarifies that by the time of filing of the instant petition, petitioner's wife was hospitalized on account of mere pregnancy at advance stage. Thus, counsel submits that to look after the well being of the wife of the petitioner, namely, Kirandeep Kaur and the newly born child, he be granted one chance by granting him interim bail for a period of two months.

On hearing the petitioner, on 17.12.2025, the following order was passed:-

- 1. On a call given by the High Court Bar Association, vide resolution dated 15.12.2025, lawyers are observing strike today also, and not appearing in the Court(s).*
- 2. Today, ASI Malkit Singh, who is present before this Court, has filed status report dated 16.12.2025, and the*



same is taken on record. Registry is directed to tag the same at the appropriate place on the file.

3. Paragraph No.9 of the status report, is reproduced here under:-

“1. That the petitioner has committed a serious offence he is not entitled for the concession of bail. A Heavy recovery of banned narcotic pills was affected from his possession. It is a big gang of drug peddlers who were indulged in the business of narcotics drugs and banned tablets.

2. That during investigation this fact has come into the light that although the wife of the petitioner is pregnant but she is under the care of her in laws and she is also in touch with her parents who are also residing at Jalandhar and the petitioner is already a boy of 5 years old who is residing with his wife.

3. That if the petitioner is released on bail then there is every possibility then he flees from the fear of imprisonment. Hence keeping in view the above facts and circumstances the bail application moved by the petitioner may kindly be dismissed.”

4. List again on 08.01.2026.

5. To be shown in the urgent list

Today, learned Additional Advocate General, Punjab, by referring the status report submits that petitioner is accused for committing offence under NDPS case because from his possession 1,12,000 tablets of Tramadol Hydrochloride USP 100 MG Panadole have been recovered and in case, at this stage, he is released on interim bail, there is every likelihood of his absconding from the proceedings of the trial.

In regard to the other facts pointed out by the petitioner's counsel, learned Additional Advocate General submits that there are other family members also in the family along with the five years child of the petitioner.

I have heard the submissions addressed by the respective counsel and also gone through the status report dated 16.12.2025, filed by

CRM-M-70149 of 2025(O&M)

-3-

2026:PHHC:000829



the State.

There is no dispute that the petitioner's wife was earlier in a family way and now on 05.01.2026 has been blessed with a female child. Undoubtedly, at such stage, wife of the petitioner would require company of her best companion i.e. her husband. Undoubtedly, wife of the petitioner and the newly born child require the utmost attention to look after their health etc. Thus, without going into the merit of the case or the factual allegations, the petition is allowed and petitioner is directed to be released on bail for a period of six weeks i.e. up-till 23.02.2026, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned.

Needless to mention here that the petitioner shall surrender back to the Jail Authorities on 23.02.2026 at or before 05:00 P.M., in compliance to the directions passed by this Court.

However, it is also clarified that the said concession would be available to him on depositing of the bank guarantee in the shape of FDR from a nationalized bank to the tune of Rs.5,00,000/- with the court below.

With aforementioned terms, present petition is disposed of.

Pending misc. application(s), if any, also stand(s) disposed of.

However, for the purpose of ascertaining whether the aforesaid directions passed by this Court have been duly complied with or not, the matter be listed again on 25.02.2026.

January 08, 2026

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

(SANJAY VASHISTH)
JUDGE