

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-328-2024 (O&M)
Date of Decision:- 10.03.2025

SUKHDEV SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. S.S. Dhillon, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
18	06.02.2023	22-C NDPS Act	Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 06.02.2023 and after the completion of investigation, challan has been presented in Court and the



conclusion of trial will take sufficient long time. Hence, prays for grant of bail to the petitioner.

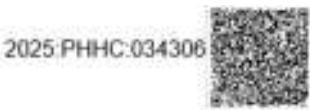
3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition on the ground that petitioner was found keeping in his possession 1000 tablets of Colovidol-100 SR containing Tramadol Hydrochloride when apprehended by the police, which falls within the purview of commercial quantity. As such prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution, the police party headed by ASI Jarnail Singh apprehended the petitioner on 06.02.2023 and from his conscious possession 1000 tablets of Colovidol-100 SR containing Tramadol Hydrochloride were recovered. After the completion of investigation, challan has been presented in Court, where it is pending trial. Admittedly, recovery of contraband effected from the petitioner falls within the purview of commercial quantity thus hit by the provisions of Section 37 of the NDPS Act.

6. In these circumstances, considering the serious nature and gravity of offence involved and the fact that commercial quantity of contraband has been recovered from the conscious possession of the petitioner, he is not entitled to the concession of bail at this stage. Accordingly, the present petition is dismissed.

7. Any observation made above shall not be construed as opinion



of this Court on the merits of the case.

8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

10.03.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No