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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-1319-2025 (O&M)
Date of decision: 29.04.2025

Akashdeep Singh @ Laddi**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Munish Garg, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharaitya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case arising out of FIR No. 0089 dated 12.06.2024, registered under Sections 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Jaito, District Faridkot.

2. Brief facts of the case relevant for the disposal of the present petition are that on 12.06.2024, co-accused Harmandeep Singh was apprehended by a police party headed by ASI Angrej Singh and recovery of 3000 tablets of Trekem-100 having salt of Tramadol Hydrochloride was effected from him. Since he could not produce any licence or permit to keep in his possession the recovered drug, he was formally arrested at the spot. Upon interrogation on 13.06.2024, he disclosed that he had purchased the recovered contraband from the present petitioner. On the basis of the same, the petitioner was nominated in this case as an accused. The police was

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searching for the petitioner to arrest him in the present case. However, in the meantime, he was arrested in connection with a case bearing FIR No. 62 dated 18.10.2024, registered under Section 21 of the NDPS Act at Police Station Thulliwal, District Barnala and was confined in jail. Hence, he was taken into custody in the present case as well by way of production warrant. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offence. He had moved an application for grant of regular bail before the learned trial Court but the same had been dismissed, vide order dated 27.11.2024.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He was neither named in the FIR nor was found at the spot. He has been nominated in this case on the basis of the disclosure statement suffered by the above named co-accused, which is not admissible in evidence against him. No recovery has been effected from the petitioner. Although, he has falsely been implicated in aforesaid case bearing FIR No. 62 but he is on bail in that case and the same pertains to alleged recovery of non-commercial quantity of the contraband. There is nothing on record to connect the petitioner with the subject crime. The petitioner is in judicial custody since 19.11.2024. Investigation has since been completed and *challan* has been presented. The trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted benefit of regular bail. It is also submitted that the father of the petitioner has unfortunately met with a train accident and has sustained

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serious injuries. He is in very critical condition. In alternative, the petitioner may be granted interim bail for a period of six weeks.

4. Status report as well as reply to the application seeking interim bail has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Punjab has argued that the petitioner is not entitled to get benefit of bail as he is a drug peddler, who used to supply intoxicating drugs to co-accused Harmandeep Singh. Huge recovery of the intoxicating drugs, quantity of which falls under the commercial quantity, has been effected in this case. The petitioner is involved in one more case of similar nature. The trial is going on at a proper pace. The petitioner may abscond or indulge in similar offences, if extended benefit of bail. Hence, it is urged that the petition is liable to be dismissed. With regard to prayer made by the petitioner for grant of interim bail, it is submitted that on verification of the medical condition of the father of the petitioner, it has been found that he is out of danger and is on bed rest. Hence, the petitioner is entitled to interim bail as well.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been nominated in this case on the basis of the disclosure statement suffered by above named co-accused Harmandeep Singh, who was apprehended by the police party on 12.06.2024 and from whose possession, recovery of 3000 tablets of Tramadol Hydrochloride was effected. The allegations against the petitioner are that he had supplied the recovered contraband to the co-accused. The petitioner is involved in one more case of similar nature, which shows that he is a habitual offender. The

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allegations against him are quite serious. A huge quantity of the intoxicating drug has been recovered in this case. So far as the prayer of the petitioner for grant of interim bail on account of his father being in critical medical condition is concerned, a perusal of the reply filed to the application bearing **CRM-15751-2025** shows that he has been discharged from the hospital and is on bed rest with an advice to visit the hospital for removal of his stitches done on his nose due to a sutured wound. He is stated to be out of danger now. Hence, no ground is made out to grant interim bail to the petitioner on this ground. The apprehension of learned State counsel that if extended benefit of bail, the petitioner may abscond or indulge in similar offences can also not be stated to be unfounded at this stage. Trial is going on and there is nothing on record to suggest that there would be any undue delay in conclusion of trial. Therefore, keeping in view the gravity of allegations as levelled against the petitioner, the quantity of alleged contraband recovered from him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that he does not deserve to be granted concession of regular bail, at this stage. Accordingly, the present petition is dismissed.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

29.04.2025
Wassem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>