

2025:PHHC:110732



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

224

CRM-M-8874-2025 (O&M)
Date of decision: 21.08.2025

Nikka Singh @ Ghugi**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. P. S. Sekhon, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing FIR No. 51 dated 28.07.2024, registered under Section 22-C and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Phool, District Bathinda.

2. Brief facts of the case relevant for the disposal of the present petition are that on 28.07.2024, the petitioner and co-accused Varinder Singh @ Raju were apprehended by a police party and recovery of 7880 intoxicating tablets of Tramadol HCL was effected from them. Since they could not produce any valid license or permit to keep in their possession the recovered drugs, they were formally arrested at the spot. Their dope test was conducted and both of them were found positive for the same. Offence under Section 27 of the NDPS Act was added. After completion of necessary

2025:PHHC:110732



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 offences.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. Mandatory provisions of the NDPS Act were not complied with properly. No independent witness was joined. The petitioner has clean antecedents and is not involved in any other case. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 28.07.2024. 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 released on regular bail.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

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

6. As per the allegations, the petitioner along with above named co-accused was apprehended by the police party and the recovery of 7880 intoxicant tablets of Tramadol HCL was effected from them. The quantity of the recovered contraband falls under commercial quantity. Hence, the rigors of Section 37 of the NDPS Act would certainly be attracted in this case. There are serious and specific allegations against the petitioner. There is nothing on record to suggest that there would be any undue delay in

2025:PHHC:110732



conclusion of trial. The arguments raised by learned counsel for the petitioner with regard to lacunas in investigation cannot be looked into at this stage as the same is to be decided by the trial Court after appreciating the entire evidence and material placed on record before it. Keeping in view the gravity of allegations as levelled against the petitioner, the quantity of alleged contraband recovered from the petitioner, 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.

21.08.2025
Wassem Fawzi

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No