



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

223

CRM-M-10921-2025 (O&M)

Date of decision: 06.08.2025

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

Present:- Mr. Jagjit Singh, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition that has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case bearing FIR No. 47 dated 10.05.2021, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Satnampura, District Kapurthala.

2. The petitioner has been arraigned as an accused in this case on the allegations that on 10.05.2021, he was found in possession of 650 intoxicant tablets (*Tramadol Hydrochloride*). He is in custody since the date of registration of the FIR. The trial is going on.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He is in prolonged incarceration. The trial is progressing at snail's speed. In fact, as per FSL report, the average quantity of Tramadol Hydrochloride in tablets was found to be 48.46 mg and in this way, the total weight of the recovered tablets would come only 31.499

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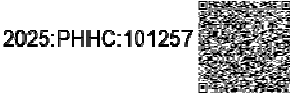


grams, which does not fall under commercial quantity, the same being 250 grams. Even otherwise, keeping in view the fact that the trial is substantially delayed, the petitioner is entitled to get benefit of bail. It is, therefore, urged that the petition deserves to be allowed.

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. After having been arrested on 10.05.2021 along with aforesaid quantity of intoxicating tablets, the petitioner has been in custody barring the period of his interim bail, which was granted to him awaiting FSL report. A perusal of the status report reveals that despite the fact that challan was presented on 28.10.2022, only one prosecution witness has been examined so far. It is also a debatable question whether the quantity of the recovered contraband falls under commercial quantity or not? He is not shown to be involved in any other case. Conclusion of trial is likely to take time. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.



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.

06.08.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

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