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

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CRM-M-12692-2025 (O&M)
Date of decision: 04.11.2025

Pritpal Singh **...Petitioner**

Versus

Union of India and another **...Respondents**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Arnav Ghai, Advocate
for the petitioner.

Mr. Rajiv Sharma, Special Public Prosecutor
for respondent No.1-NCB.

Mr. Roshandeep Singh, AAG, Punjab
for respondent No. 2-State of Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of regular bail to the petitioner in case bearing Crime No. 17 dated 13.08.2024, registered under Sections 8, 22, 23 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sahnewal, District Ludhiana.
2. Brief facts of the case relevant for the disposal of the present petition are that on 09.08.2024, the petitioner had booked a parcel at Ayali Worldwide, Ludhiana for sending the same to one Sarabjit Kaur, who was residing in Canada. However, on a specific information received by the Intelligence Officer of Narcotics Control Bureau, Chandigarh, the said parcel was taken into possession and on opening the same, recovery of 350 intoxicant tablets of Buprenorphine was effected. The same were taken into possession. On

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the basis of the same, the petitioner was nominated as an accused in the aforesaid case and he was arrested on 15.08.2024. During investigation, it was found that his sister namely Inderjit Kaur and one Jaswinder were in constant touch with the present petitioner over phone as they had exchanged several phone calls during the relevant time and it was Inderjit Kaur, on whose instructions, the petitioner was sending the said parcel to aforesaid Sarabjit Kaur. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has no connection with above named Sarabjit Kaur, to whom, the aforesaid parcel was destined. She is only a relative of his sister. The petitioner had booked the said parcel on the asking of his sister, who told him that Sarabjit Kaur needed some clothes and utensils and his nephew Raman would hand over him the same, which he had to send to Canada. He had no knowledge of any contraband being kept in the said parcel as he is an uneducated person. He is just a taxi driver. The voluntary statement allegedly recorded by the petitioner is not admissible in evidence. Even otherwise, investigation has since been completed and challan has been filed. Conclusion of trail is likely to take time. The petitioner is in custody since 15.08.2024. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Learned Special Public Prosecutor, assisted by learned Assistant Advocate General, Punjab, has argued that there are serious and specific allegations against the petitioner. Recovery of commercial quantity of the contraband has been recovered from a parcel which the petitioner had booked for Sarabjit Kaur, who is based in Canada. Rigors of Section 37 of the NDPS

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Act would be attracted against him. He is involved in international smuggling of contraband. Trial is going on at a proper pace. It is also argued that if the petitioner is released on bail, he may abscond or indulge in the similar offences. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the submissions made by both the sides.

6. As per the allegations, recovery of 350 intoxicant tablets of Buprenorphine was effected from a parcel which the petitioner had booked in the name of above named Sarabjit Kaur, who is residing in Canada. The quantity of the recovered contraband falls under commercial quantity. Hence, the rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. The allegations levelled against the petitioner are specific and quite serious. He is alleged to be involved in international smuggling of contraband. Merely because of the fact that the investigation stands completed, the petitioner does not become entitled to get benefit of bail. The trial is going on at a proper pace and there is nothing on record to show that there would be any undue delay in conclusion of the same. The apprehension expressed by learned Special Public Prosecutor that if extended benefit of bail, the petitioner may abscond or indulge in similar offences can also not be stated to be unfounded. Keeping in view the discussion as made above, the quantity of recovered contraband, 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 the petitioner does not deserve to be granted benefit of regular bail, at this stage. Hence, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for

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the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

04.11.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No