



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213 CRM-M-14178-2025
Date of decision: 10th September, 2025

Sukhdev Ram @ Sukhu ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Bhupinder Ghai, Advocate for the petitioner.
Mr. Vivek Sharma, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition as filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking regular bail in the FIR mentioned below:-

FIR No.	Date	Police Station	Sections
426	24.09.2024	City Barnala, District Barnala	21, 22 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short ‘NDPS’)

His previous petition bearing CRM-M-60792-2024 has been dismissed with liberty vide order dated 19.12.2024.

2. Brief facts of the case relevant for the disposal of the present petition are that on 24.09.2024, a secret information was received that the present petitioner Sukhdev Ram @ Sukhu and co-accused Ajay Sharma @



Gora, Hapreet Singh @ Peeta and Amritpal Singh @ Chucha in connivance with each other, were indulged in selling heroin and on that very day, they were coming in a car bearing registration number UP-168F-4696 to sell heroin. In pursuance of said secret information, when the police party reached near Cottan Market, Barnala, the aforesaid car was seen parked under a tree and the persons named above including the petitioner were sitting in the same. On suspicion, they were apprehended by the police party. On conducting their search, recovery of 50 grams of heroin, 50 tablets of *Etizolam* and drug money of Rs.1,00,000/- was effected from them. They were formally arrested at the spot. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with co-accused is facing trial for commission of aforementioned offences. He had moved an application before the trial Court for grant of regular bail but the same had been dismissed, vide order dated 13.11.2024.

3. It is argued by learned counsel for the petitioner that previous petition as filed by the petitioner has been dismissed with liberty to revisit the Court, as and when the investigation is over. Investigation is now over. Charges have been framed. Trial will take considerable time to conclude. A strip of containing 10 intoxicating tablets is alleged to have been recovered from him, the total weight of which comes to 1.9 grams only and the same does not fall within the commercial quantity. The co-accused Ajay Sharma whose case is on similar footing has since been extended benefit of bail. He has been custody since 24.09.2024. His further detention would not serve



any useful purpose. Therefore, it is, urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Punjab, that there are serious and specific allegations against the petitioner. The bail petition of co-accused Harpreet Singh has been dismissed. The recovery shall be deemed to be commercial quantity only. The petitioner has criminal antecedents since five more cases registered under different provisions of Indian Penal Code are pending against him. There are chances of his absconding or indulging in similar offences, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner along with the co-accused was alleged to be found in conscious possession of 50 grams of heroin and 50 intoxicating tablets of *Etizolam* along with drug money amounting to Rs. 1,00,000/-. The total weight of intoxicating tablets recovered from the petitioner and the co-accused is found to be 9.8 grams which falls under the commercial quantity. The petitioner is shown to be involved in four other cases and has criminal antecedents. There is nothing on record to show that there would be any undue delay in conclusion of the trial. There is no substantive or specious change in the circumstances from the date of dismissal of the previous petition as filed by the petitioner. It is also well settled that there must be drastic change during the period between two applications for the successive



application to be allowed. Keeping in view the above discussion, the quantity of recovered contraband, the antecedents of the petitioner and the quantum of sentence which the conviction may entail, this Court is of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

10th September, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*