



226 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-17376-2025
Date of decision: 04.04.2025

KASHMIR SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sunil Kaushik, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This is the second petition filed under Section 483 BNSS, 2023 for grant of regular bail in case bearing FIR No.69 dated 05.07.2024 registered under Sections 21/22/31/61/85 of NDPS Act at Police Station Lambra, Jalandhar, Punjab. The first petition seeking concession of regular bail was withdrawn on 14.11.2024.

2. As per the prosecution version, on 05.07.2024 the police party headed by ASI Niranjan Singh have apprehended petitioner-Kashmir Singh with 110 loose intoxicant tablets along with 3 grams Heroin. Report of FSL has been received vide which 110 intoxicant tablets have been allegedly found containing salt 'Etizolam' to the tune of 11.44 grams, which falls under commercial category.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case as alleged recovery of contraband has been planted upon him. He further contends that there is non-compliance of section 50 of the NDPS Act, which vitiated the process of



alleged recovery. He submits that the petitioner is behind the bars since 05.07.2024 and he is no more required for further investigation. He further submits that the challan in this case, has already been presented but the conclusion of trial shall take sufficient long time and no purpose would be served by keeping the petitioner in custody.

4. *Per contra*, learned State counsel opposes the prayer of the petitioner on the ground that there is sufficient material available on record to indicate the complicity of the petitioner. Further, huge quantity of contraband has been recovered from the conscious and exclusive possession of the petitioner, which falls under the ambit of commercial quantity. Furthermore, the petitioner is a habitual offender as he is involved in other cases also. Therefore, in view of the grave nature of the allegations, the petitioner does not deserve the concession of regular bail.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that huge quantity of contraband, falling within the ambit the commercial quantity, has been recovered in the present case.

6. Thus, the present petition stands dismissed, being bereft of any merit.

7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

April 04, 2025
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(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No