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

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CRM-M-22303-2025 (O&M)
Date of decision: 01.09.2025

Sukhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Ms. Sakshi Bakshi, 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. 0002 dated 02.01.2025, registered under Section 15-C of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Raman, District Bathinda, Punjab.
2. Brief facts of the case relevant for the disposal of the present petition are that on 02.01.2025, the petitioner, while coming along with co-accused Jagseer Singh @ Jagga in a car bearing registration number HR-51-AV-5907, was apprehended by a police party and recovery of 60 kgs. of poppy husk was effected from the said car. Since they could not produce any valid license or permit to keep in their possession the recovered contraband, they were formally arrested at the spot. After completion of necessary investigation and usual formalities, *challan* was presented before the Court on 26.05.2025 and presently, the petitioner along with the co-accused is facing trial for commission of

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aforesaid mentioned offence.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He is suffering from various ailments. He is a person having locomotor disability of 80% and could not move on himself. The story put forth by the police party is concocted one. The petitioner is not involved in any other case and has clean antecedents. Even otherwise, investigation has since been completed and *challan* has been presented. Conclusion of the trial is likely to take a long time. The petitioner is in custody since 02.01.2025. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab 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 on 02.01.2025, when they were travelling in the said car. Recovery of 60 kgs. of poppy husk was effected from the said car, which falls under commercial quantity. Hence, the rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. As regards the arguments advanced by learned counsel for the petitioner with regard to ailments and disability of the petitioner, the same cannot be looked into at this stage. Investigation has since been completed and *challan* has been filed. Trial is going on and there is nothing on record to show that there would

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be any undue delay in conclusion of the same. 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, I am 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 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.

01.09.2025

Wasem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No