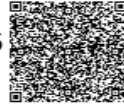
**CRM-M-24084-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****232****CRM-M-24084-2025****Decided on:11.08.2025****Gurdeep Singh @ Deepa****.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH****Present: Mr. P.S. Sekhon, Advocate for the petitioner.****Mr. P.K. Jhanda, Sr. DAG, Haryana.*************SANJAY VASHISTH, J.**

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), seeking regular bail in case FIR No. 56 dated 20.02.2022, under Sections 22-C and 31 of the NDPS Act, registered at Police Station Sadar Tohana, District Fatehabad.

2. Learned counsel for the petitioner contends that, as per the case of the prosecution, from the possession of the petitioner, 60 strips of Alprazolam IP 0.5 mg containing 10 tablets each, and 59 additional strips of Alprazolam IP 0.5 mg were recovered. Thus, a total of 119 strips weighing 239 grams were recovered, which exceeds the maximum commercial quantity prescribed under the NDPS Act, i.e., 100 grams.

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3. Learned State counsel has filed a status report by way of an affidavit of Umed Singh, H.P.S., Deputy Superintendent of Police, Tohana, District Fatehabad, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place in the paper-book.

4. From the status report, particularly paragraph No. 4, which details other cases in a tabulated form, Mr. P.S. Sekhon, Advocate representing the petitioner, argues that petitioner is falsely implicated in the present case. He submits that petitioner deserves the concession of bail, especially considering that after being involved in three earlier cases under the NDPS Act and having been convicted therein, he is not found indulged in any such activity since then. Counsel further submits that although several other cases have been registered against the petitioner under Excise Act, but none relate to the offences under the NDPS Act, except the present one. Out of 27 cases, under the Excise Act, petitioner has been acquitted in 10 and convicted in another 10.

Broadly, Mr. P.S. Sekhon, learned counsel for the petitioner, highlights that petitioner is a well-known individual to the local police officials, and despite having improved his conduct by staying away from drug or narcotics-related activities, he has once again been falsely implicated in the present case by planting the recovery of 119 strips of Alprazolam. He also submits that petitioner is in custody since 20.02.2022, and out of total 14 prosecution witnesses, only 02 have been examined till date.



5. This Court has considered the submissions made and the details of cases provided in the status report. For reference, same is reproduced herebelow:

Sr. No.	FIR No.	Dated	Under Section	Police Station	Present Status
1.	21	09.07.2004	15 NDPS Act	Sadar Tohana	Conviction
2.	46	23.02.2004	15 NDPS Act	Adampur	Convicted
3.	24	12.01.2004	15 NDPS Act	Sadar Tohana	Convicted
4	100	06.05.2018	Excise Act	Sadar Tohana	Undergone
5.	170	10.07.2018	Excise Act	Sadar Tohana	Conviction
6.	239	13.09.2018	Excise Act	Sadar Tohana	Undergone
7.	80	09.04.2019	Excise Act	Sadar Tohana	Undergone
8.	63	10.04.2020	Excise Act	Sadar Tohana	Undergone
9.	328	17.11.2020	Excise Act	Sadar Tohana	Undergone
10	05	13.01.2021	Excise Act	Sadar Tohana	Undergone
11	55	06.04.2021	Excise Act	Sadar Tohana	Undergone
12	215	13.10.2021	Excise Act	Sadar Tohana	Undergone
13.	152	21.07.2021	Excise Act	Sadar Tohana	Undergone
14.	297	24.10.2018	Excise Act	Sadar Tohana	Undergone
15.	219	28.08.1982	Excise Act	Sadar Tohana	Conviction
16	14	08.01.1993	Excise Act	Sadar Tohana	Acquittal
17	270	20.06.1993	Excise Act	Sadar Tohana	Acquittal
18	243	05.05.1995	Excise Act	Sadar Tohana	Acquittal
19	475	16.11.1995	Excise Act	Sadar Tohana	Acquittal
20	31	16.01.1995	Excise Act	Sadar Tohana	Acquittal
21	86	03.05.1999	Excise Act	Sadar Tohana	Acquittal
22	160	29.07.2002	Excise Act	Sadar Tohana	Acquittal
23	286	01.11.2003	Excise Act	Sadar Tohana	Acquittal
24	338	18.12.2003	Excise Act	Sadar Tohana	Acquittal
25	26	10.02.1982	Excise Act	Sadar Tohana	Status not found
26	134	15.03.1995	Excise Act	Sadar Tohana	Status not found
27	76	22.05.1997	Excise Act	Sadar Tohana	Status not found
28	236	07.10.2020	Excise Act	Sadar Tohana	Undertrial
29	276	16.12.2021	Excise Act	Sadar Tohana	Undertrial
30	41	06.03.2021	Excise Act	Sadar Tohana	Undertrial
31	101	31.05.2021	Excise Act	Sadar Tohana	Undertrial

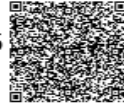
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6. Undoubtedly, the last case registered against the petitioner under the NDPS Act, in which he is said to have been convicted was registered on 23.02.2004. The present case has been registered after a gap of 19 years. Therefore, while considering the plea for bail, this aspect cannot be ignored, until the prosecution succeeds in proving the charges against the petitioner in the present case, registered on 20.02.2022.

7. Taking the circumstances in its entirety, and noticing the fact that petitioner was last involved in NDPS case on 23.02.2004, and in order to assess whether the petitioner has genuinely rehabilitated in society, this Court deems it appropriate to release him on bail rather than to detain him any longer. Moreover, the trial is not progressing at the required pace, as only two prosecution witnesses have been examined till date, despite the petitioner being in custody for the last 03 years, 05 months, and 15 days.

Consequently, the prayer made in the present petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.



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9. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 11, 2025
rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**