

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:153902



CRM-M-26984-2025 (O&M)

Reserved on:03.11.2025

Pronounced on:10.11.2025

Varinder Singh @ Raju

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Charanjit Singh, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner under Section 483 of the BNSS seeking grant of regular bail in case arising out of FIR No.51, dated 28.07.2024, under Section 22(C) of the NDPS Act, registered at Police Station Pul, District Bathinda.

2. As per the allegations, on 28.07.2024, the petitioner and the co-accused Nikka Singh @ Ghugi were apprehended on the basis of suspicion when they were found searching something in two polythene bags kept by them. On checking, the polythene bag recovered from the conscious possession of accused Nikka Singh @ Ghugi, 880 tablets of Tramadol Hydrochloride tablets were recovered whereas 700 tablet strips of Tramadol Hydrochloride Tablets were recovered from the petitioner and co-accused. They could not produce any permit/license for retaining the same. They were formally arrested. Investigation now stands completed. The petitioner

along with co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. The mandatory provision of Section 50 of the NDPS Act had not been complied with. The petitioner is suffering from rare and serious medical conditions that involves inflammation and infection of the intervertebral discs in the spine. In fact he was taking tramadol tablets to suppress the pain of his back. He cannot even sit and walk properly. He is in custody since long. The trial will take considerable time to conclude. His prolonged incarceration is a sufficient reason to extend benefit of bail to him. Moreover, for his proper treatment, he deserves to be released on bail. With these broad submissions, it is urged that the petition deserves to be allowed.

4. Status report along with medical report of the petitioner from the treating doctor by the AIIMS, Bathinda has been placed on record, as per which the petitioner had been operated for lumbar spine surgery in the year 2023. He is complaining of pain in left leg, which as per the MRI report is suggestive of post operative changes. Degenerative Spondylosis of the lumbar spine was seen in his report. He has been treated conservatively and presently he is having complaint of left leg pain for which physiotherapy and exercises have been advised. He is afebrile and is able to perform his daily activities. In view of this report, it is apparent that the petitioner is in a position to perform his daily activities. The allegations against him are serious in nature as he was found in conscious possession of commercial quantity of contraband. He had been extended benefit of interim bail by this

Court and was released on 22.09.2025. He has surrendered on 27.10.2025. the trial is going at a proper pace and there is nothing on record to suggest that there would be any undue delay in conclusion of the same. The rigors of Section 37 of the NDPS Act are prima facie attracted in this case and only on the basis of his medical condition which is stable now, he cannot be held entitled for extending benefit of bail to him. Keeping in view the above discussed facts, this Court is of the considered opinion that the petition does not deserves to be allowed. Accordingly the same is dismissed.

10.11.2025*harjeet***(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No