



**In the High Court for the States of Punjab and Haryana
at Chandigarh**

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CRM-M-30457-2025 (O&M)
Date of Decision:- 11.12.2025

Sukhwinder Singh @ Sabi ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Manjinder Singh Saini, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in case FIR No.213 dated 05.09.2023 registered under Sections 22/29/61/85 of NDPS Act at Police Station Model Town, District Hoshiarpur, Punjab.
2. Learned counsel for the petitioner contended that the present petitioner has been falsely implicated in the present case as per prosecution version upon receiving of a secret information while the police party was on patrol duty in Bhagat Singh Nagar, and arrested the present petitioner along with co-accused. Alleged recovery of 150 grams of intoxicant powder has been recovered from the pocket of petitioner. He is in custody for the last about 8 months and 28 days. Trial will take sufficient time to conclude, thus, learned counsel prayed for grant of regular bail to the petitioner.
3. Learned State counsel has produced the custody certificate of the petitioner, which shows that the petitioner is behind bars since last about 08



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(2)

months and 28 day and he is involved in one more case of similar nature. Learned State counsel contended that 150 grams of intoxicant powder i.e. Alprazolam has been recovered from the petitioner, which falls under commercial quantity; charges have been framed and the case is fixed for prosecution evidence before the trial Court and the petitioner is not entitled for bail due to rigours of Section 37 of NDPS Act as commercial quantity of contraband recovered from his possession.

4. This Court has heard learned counsel for the parties and has perused the paper book.

5. Keeping in view the facts and circumstances of the present case; particularly in view of the fact that 150 grams of intoxicant powder i.e. Alprazolam has been recovered from the petitioner, which falls under commercial quantity; rigours of Section 37 of NDPS Act are attracted in the present case. The drug menace in India is on high rise and needed to be dealt with the iron hand. Hon'ble the Supreme Court in ***Union of India Vs. Namdeo Ashruba Nakade (Criminal Appeal No. 4770 of 2025)*** has also expressed the concern regarding the substance abuse as under:-

"... 8. This Court is of the view that the issue of substance abuse has emerged as a global public health crisis in the twenty-first century, affecting every country worldwide, as drug trafficking and addiction have become pervasive. The United Nations Office on Drugs and Crime (UNODC) reported in its 2025 World Drug Report that "As at 2023, some 316 million people worldwide had used drugs in the past year, representing an increase over the past decade that outpaces population growth, which indicates a higher prevalence of drug use."



9. In India, there has been a concerning increase in drug abuse among the youth. Substance abuse not only affects individuals, families, and communities but also undermines various aspects of health including physical, social, political, cultural foundations, and mental well-being. (See: "Bhattacharya S, Menon GS, Garg S, Grover A, Saleem SM, Kushwaha P. The lingering menace of drug abuse among the Indian youth - it's time for action. Indian J Community Med 2025;50:S9-12, published on 17th April, 2025").

10. According to many news reports, India faces a clear dilemma between tackling the narcotics crisis systematically or sacrificing its most valuable resource i.e. its young people. The extent of menace of drug abuse has also been highlighted by this Court in the case of Ankush Vipin Kapoor v. National Investigation Agency, (2025) 5 SCC 155 wherein this Court has observed as under: "9.1 The ills of drug abuse seem to be shadowing the length and breadth of our country with the Central and every State Government fighting against the menace of substance abuse. The debilitating impact of drug trade and drug abuse is an immediate and serious concern for India. As the globe grapples with the menace of escalating Substance Use Disorders ("SUD") and an ever accessible drug market, the consequences leave a generational Page 75 of 84 imprint on public health and even national security. Article 47 of the Constitution makes it a duty of the State to regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and in particular the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health. The State has a responsibility to address the root causes of this predicament and develop effective intervention strategies to ensure that India's younger population, which is particularly



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vulnerable to substance abuse, is protected and saved from such menace. This is particularly because substance abuse is linked to social problems and can contribute to child maltreatment, spousal violence, and even property crime in a family."

6. This Court finds no merit in the present petition, hence, the same is **dismissed**.

7. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

11.12.2025
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No