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

CRM-M-34095-2025

Date of Decision:16.07.2025

BHUPINDER SINGH ALIAS KAKA

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Chetan Goyal, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of Cr.P.C. with a prayer to grant regular bail to him in case FIR No.137 dated 29.10.2024 registered under Sections 18/20/21/22/24/61/85 NDPS Act, Police Station Lahori Gate (Division 4), Patiala.

2. The FIR in the present case was registered on the basis of the statement made by SI Vinod Kumar and the same has been reproduced below:-

*“To, The SHO, PS Division No.4, Lahori Gate, Patiala,
Today on 29.10.2024 1 SI alongwith ASI Nirankar Singh
2180/PTL, HC Kulwant Singh 1837/PTL, C Gurpreet Singh
3438/PTL and C Mandeep Singh 2419/PTL were present with our
Laptop, Printer and accessories in government vehicle No.PB-
11CF-3812 make bolero pickup white coloured driven by ASI Noor
Singh No. 153/PTL in the area of the Police Station in connection*



with patrolling and apprehension of suspected persons then at about 5pm when I SI alongwith the accompanying team reached near old Bus stand Patiala where a water tank was under construction then a secret informer gave information to me in privacy that Rohit Kumar alias Nonu S/o Malkiat Singh, resident of Dheha Basti Patiala back side Ghumar Sabha School Patiala, Rupinder Singh alias Ravi S/o Gajjan Singh, resident of Muslim colony, near Sunder Nagar, Patiala, Bhupinder Singh alias Kaka S/o Jarnail Singh resident of Street No.11, New Bishan Nagar, Patiala are dealing in sale of opium, ganja, smack and intoxicant powder and tablets and against whom many cases are registered Now also they are openly indulging in sale of narcotics from their houses and localities and are spoiling the youth of Punjab by making them indulge in intoxicants. If a raid is conducted immediately at the residence of the above persons then the above persons can be apprehended alongwith narcotics. The information is trustworthy which makes out an offence u/s 18,20,21,22 of NDPS Act against Rohit Kumar alias Nonu S/o Malkiat Singh. Rupinder Singh alias Ravi S/o Gajjan Singh and Bhupinder Singh alias Kaka S/o Jarnail Singh. Ruqa is being sent through C Gurpreet Singh 3438/PTL to the police station for registration of a case against the above persons. After registering the FIR number of the same be intimated. Special Reports be issued and the Area Magistrate, Higher Officers and Control Room Patiala be informed. I SI alongwith the team are busy in investigation. In the areas of old bus stand Patiala where as water tank was under construction at 5.45 pm singed Vinod Kumar PS Division No.4 Lahori Gate Patiala dated 29.10.2024.”

3. Learned counsel for the petitioner contends that as per the case of the prosecution, 200 tablets of Alprazolam were allegedly recovered from him and the said quantity of contraband comes out to 23.6 grams. Even the recovery from the petitioner was ‘non-commercial’ in nature. Learned counsel further



contends that the petitioner was arrested in the present case on 30.10.2024 and is in custody since than.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that 03 more cases have been ordered to be registered against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the alleged recovery of Alprazolam from the petitioner is 23.6 grams and the said quantity falls within the ambit of ‘non-commercial’ quantity (As per the schedule appended with the NDPS Act). The petitioner is stated to be in custody for the last about 09 months. Thus, the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to him furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

16.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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