



CRM-M-35348-2025

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

CRM-M-35348-2025
Decided on : 17.11.2025

Sandeep Kumar @ Sandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. R.S. Bhullar, Advocate
for the petitioner.

Mr. Vinay Malhotra, DAG Punjab

SANJAY VASHISTH, J.

1. Petitioner-Sandeep Kumar @ Sandeep Singh has filed instant petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking regular bail in case FIR No. 46 dated 30.01.2023 registered under Section 21 of NDPS Act, 1985 at Police Station Division No. 7, Ludhiana, District Ludhiana.
2. As per allegations, while the petitioner was on his foot, on seeing the police party got perplexed and took out transparent polythene bag from left side of his pocket and then threw it away on the left side of the road before making attempt to run away. It has further been alleged that after the petitioner was apprehended, he disclosed his identity, and on searching of the polythene bag, which had been thrown by the petitioner, recovery of 200 grams of Heroin was effected.
3. Counsel contends that the recovered quantity is non-commercial in

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nature and in the instant case the petitioner is inside the jail since 04.07.2024. He further argues that at first instance the petitioner had been released on bail by the Court of Sessions, vide order dated 03.04.2023, however, during the currency of said concession peacefully, the petitioner was again slapped with a criminal case vide FIR No. 102, dated 04.07.2024, under Section 21/21-C/29/27 of NDPS Act registered at Police Station STF 4, Patiala. In the said case, recovery of 270 grams of Heroin was planted against the petitioner and on being sent behind the bars, he could not appear before the Court during the proceedings of FIR No. 46 (supra). Accordingly, his bail was cancelled and later on was declared as proclaimed person, in FRI No. 46 (supra) vide order dated 04.07.2024 (Annexure P-3). It is also argued that in the second FIR No. 102, dated 04.07.2024 (supra), the petitioner has been granted the concession of bail, vide order dated 24.05.2025 passed by Coordinate Bench of this Court in CRM-M-837-2025 (Annexure P-4). Thus, submits that the petitioner may be granted concession of bail in the present case as well. Total incarceration period in the present case would be around 01 years, 08 months and 10 days.

4. Learned State counsel does not dispute any of the factual position which has been argued by referring the appended documents with the petition and confronts the total incarceration period also by filing custody certificate, which is taken on record. It is also pointed out by learned State counsel that the petitioner is involved in more than one case under the NDSP Act.

5. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner by observing that the petitioner had been released on regular bail at the first instance, vide order dated

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03.04.2023 (Annexure P-2). Even subsequently registered case is truthful or planted one, is yet to be ascertained. He has already been granted the concession of bail by Coordinate bench of this Court. Therefore, looking at the age of the petitioner, i.e. 30 years, the allegation is yet to be proved by the prosecution, I deem it appropriate to grant the concession of bail to the petitioner.

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

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. Any of the discussion done and recorded here above, 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.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. Petition stands disposed of.

November 17, 2025

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**(SANJAY VASHISTH)
JUDGE**

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