

2025:PHHC:109250



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

237

CRM-M-43954-2025 (O&M)
Date of decision: 20.08.2025

Kashmir Singh @ Minta**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Manan Bhardwaj, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 138 dated 02.08.2024, registered under Sections 18, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Gate Hakima, District Amritsar.

2. Brief facts of the case relevant for the disposal of the present petition are that on 02.08.2024, the petitioner was apprehended by a police party and recovery of 02 kgs. of opium was effected from him. Thereafter, another recovery of 03 kgs. of opium was effected from him on 05.08.2024. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner is facing trial for commission of aforementioned offences.

3. Learned counsel for the petitioner has argued that he has been

2025:PHHC:109250



falsely implicated in this case. Investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 02.08.2024. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

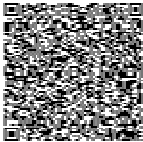
4. Custody certificate of the petitioner has been filed. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner has been apprehended by the police on 02.08.2024 and recovery of total 05 kgs. of opium has been effected from him. The said quantity falls under commercial one. Hence, the rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. There are serious and specific allegations against the petitioner. There is nothing on record to suggest that there would be any undue delay in conclusion of trial as out of 20 prosecution witnesses, 09 witnesses have already been examined. Keeping in view the gravity of allegations as levelled against the petitioner, the quantity of alleged contraband recovered from him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that he does not deserve to be granted concession of regular bail, at this stage. Accordingly, the present petition is dismissed.

7. It is made clear that any observation made herein above is only

2025:PHHC:109250



for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

20.08.2025
Wassem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No