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

207

CRM-M-44010-2025 (O&M)
Date of decision: 23.12.2025

Nirmal Singh @ Nimma ...Petitioner

Versus
State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. P. P. S. Duggal, Advocate
for the petitioner.

Ms. Sakshi Bakshi, 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. 207 dated 28.12.2024, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Special Task Force, SAS Nagar.
2. As per the allegations, on 28.12.2024, the petitioner along with co-accused Ashok Singh, Rajpal Singh and Surjit Singh was apprehended by a police party, while all of them were travelling in a car bearing registration number HR-61-C-1669. On conducting search, recovery of 500 grams of heroin was effected from the dashboard of the said car. The same was taken into possession by the police. All of them were formally arrested. Investigation now stands completed and challan has been filed. The petitioner along with the co-accused is facing trial for commission of aforementioned offence.
3. It is argued by learned counsel for the petitioner that he has been

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falsely implicated in this case. A false recovery has been planted upon him. The mandatory provisions of the NDPS Act were not complied with. Even otherwise, investigation has since been completed and challan has been presented. Trial is likely to take considerable time to conclude. The petitioner is also seeking benefit of regular bail on medical grounds as he is suffering from bone deformities and as per MRI, his L5-S1 disc is mildly reduced in height and showing diffuse posterior annular disc bulge causing indentation over thecal sac and narrowing of bilateral neural foramina. The same has made it very difficult for the petitioner to perform his day to day activities. He has remained under treatment in the past. Proper treatment is not being provided to him. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed. Medical status report of the petitioner has also been filed. It is submitted therein and learned State counsel has argued that the petitioner was apprehended by the police party on 28.12.2024 along with the above named co-accused and recovery of 500 grams of heroin, which falls under commercial quantity, was effected from them. During the course of recovery and further investigation, proper procedure as prescribed under the NDPS Act was followed. The rigors of Section 37 of the NDPS Act would be attracted qua the petitioner. Trial is going at a proper pace. He is a habitual offender. He has been under continuous medical supervision and as per the report of the Medical Officer concerned, all prescribed treatments are being given to him in accordance with the jail manual protocol. It is also argued that if the petitioner is released on bail, he may abscond or indulge in the similar offences. It is, thus, argued that the petition is liable to be dismissed.

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5. This Court has heard the rival submissions.
6. The petitioner along with the above named co-accused is alleged to have been found in conscious possession of 500 grams of heroin on 28.12.2024. The quantity of the recovered contraband falls under commercial quantity. Hence, the rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. So far as the medical condition of the petitioner is concerned, as per the medical report of the Medical Officer, Central Jail, Ferozepur, he is under continuous medical supervision and all prescribed treatments are being administered to him. The allegations against the petitioner are quite serious. He seems to be a habitual offender as he stands convicted in a case of similar nature and is facing trial in one more case registered against him under the provisions of NDPS Act. Investigation has since been completed and challan has been filed. There is nothing on record to show that there would be any undue delay in conclusion of the same. Taking into consideration the above discussed facts, this Court is of the opinion that no case is made out for release of the petitioner, either on merits or on medical grounds, at this stage. Hence, the petition is dismissed.
7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

23.12.2025

Waseem Ansari

Whether speaking/reasoned

Whether reportable

(MANISHA BATRA)
JUDGE

Yes/No

Yes/No