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

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CRM-M-46980-2025 (O&M)
Date of decision : 31.10.2025

Sadhu Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Rajesh Kumar Girdhar, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J.(Oral)

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to him in case bearing FIR No. 15 dated 06.03.2025, registered under Sections 18(b), 27, 27(a) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sadar Malout, District Sri Muktsar Sahib.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 05.03.2025, on the basis of secret information, co-accused Raju was apprehended by a police party headed by ASI Jagdish and recovery of 03 kgs. 500 grams of Opium along with drug money of Rs. 35,000/- was effected from him. Thereafter, at his instance, another recovery of 07 kgs. of Opium was effected from his house. Upon interrogation, he suffered disclosure statement admitting his guilt and disclosed that co-accused Manpreet Singh @ Babbu had purchased 200 grams of Opium from him. On 18.03.2025, he suffered another disclosure statement to the effect that the

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present petitioner had purchased 2 ½ kgs. of opium from him. On the basis of the same, the petitioner was nominated in this case and was arrested on the same day. Recovery of 02 kgs. of opium and drug money of Rs.2,00,200/- was effected from him. Some other persons were also nominated in this case based on the disclosure statements made by co-accused Raju. Investigation now stands completed.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. A false recovery was planted upon him. Mandatory provisions of the NDPS Act were not complied with. The quantity of the contraband allegedly recovered from the petitioner otherwise does not fall under commercial quantity. Even otherwise, investigation has since been completed and *challan* has been filed. Conclusion of trial would take considerable time. The petitioner is in custody since 18.03.2025. He has clean antecedents. Co-accused Manpreet Singh @ Babbu has already been granted concession of regular bail by this Court. On parity, the petitioner too deserves the same benefit. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Custody certificate of the petitioner as well as the status report has been filed by the respondent-State. 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. This Court has heard the submissions made by both the sides.

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6. The petitioner has been nominated in this case on the basis of the disclosure made by co-accused Raju, from whose custody, recovery of total 10.5 kgs. of opium was effected. The allegation against the petitioner is that he had purchased 2 ½ kgs. of opium from the co-accused, out of which, 02 kgs. of opium along with drug money of Rs.2,00,200/- was effected from him. The said quantity of the contraband does not fall under commercial quantity. It will be a matter of evidence as to whether the recovered money was drug money or not? The investigation of the case is now complete and *challan* has been filed. The trial would take considerable time to conclude. The petitioner has clean antecedents. Co-accused Manpreet Singh @ Babbu has been granted concession of bail by this Court. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

31.10.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No