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

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**CRM-M-47883-2025 (O&M)
Date of decision: 02.12.2025**

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

Present:- Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The instant one is the fifth petition that has been filed by the petitioner for grant of regular bail to him in case bearing FIR No. 89 dated 23.11.2023, registered under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Khanauri, District Sangrur. The previous three petitions were dismissed as withdrawn and the last one was dismissed on merits on 21.05.2025.

2. Brief facts of the case relevant for the disposal of the present petition are that on 23.11.2023, co-accused Gurpreet Singh was apprehended by a police party headed by ASI Balbir Singh and recovery of 2400 tablets of Tramadol Hydrochloride and 1100 tablets of Alprazolam was effected from him. Since he could not produce any permit or license to keep in his possession the recovered drugs, he was formally arrested at the spot. Upon interrogation, he disclosed that he used to make Whatsapp calls to a person using contact number 76278-23024 and used to buy intoxicant tablets from

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him. During investigation, it was found that the aforesaid SIM was registered in the name of one Gagandeep Singh but the petitioner was using the same. On the basis of the same, the petitioner was nominated in this case and was arrested on 09.03.2024. Upon interrogation, he admitted that he had sold the recovered contraband to the above named co-accused. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case on the basis of the disclosure statement made by the co-accused, which is not admissible in evidence. No subsequent recovery has been effected from him. Even otherwise, investigation has since been completed and *challan* has been presented. Conclusion of trial is likely to take time. The petitioner is in judicial custody since 09.03.2024. No useful purpose would be served by keeping him in custody anymore. Pendency of other cases against the petitioner cannot be made a ground to deny him the benefit of bail. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations levelled against the petitioner as well as his criminal antecedents, 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 rival submissions.

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6. The petitioner has been nominated in this case on the basis of the disclosure statement made by co-accused Gurpreet Singh, who was apprehended by the police and from whose possession, recovery of 2400 tablets of Tramadol Hydrochloride and 1100 tablets of Alprazolam was effected. The allegations against the petitioner are that he used to supply the contraband to the co-accused. However, no subsequent recovery is shown to have been effected from him. His nomination in this case is based on the disclosure statement suffered by above named co-accused. He is in custody since 09.03.2024. Trial is likely to take considerable time to conclude as only 03 prosecution witnesses out of total 18 witnesses has been examined so far. Pendency of other cases cannot be made a ground to deny him benefit of bail in these circumstances. 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.

02.12.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No