

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

2025:PHHC:123964



CRM-M-49539-2025 (O&M)
Date of decision: 10.09.2025.

SURJEET SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Gurbir Singh Dhillon, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.02 dated 07.01.2025, under Section(s) 22C of the Narcotic Drugs and Psychotropic Substances Act, 1985, (Section 29/27B of the NDPS Act added later on) registered at Police Station Sadar, Jalalabad, District Fazilka.

2 The allegations against the petitioner as per the prosecution's case are regarding recovery of 2,07,800 tablets make 'Tramadol Hydrochloride' and 'Alprazolam' from the conscious possession of accused-

petitioner which recovery falls within the purview of commercial quantity of such contraband.

3 Learned counsel for the petitioner contends that case bearing FIR No.01 dated 05.01.2025 was registered at the aforesaid police station where a minor relative of the petitioner had been illegally detained by the respondent-State. Against the same the petitioner and his family members had staged a protest in front of the police station, Hence, in retaliation, the above said FIR No.02 dated 07.01.2025 has been registered against the petitioner and all the members of his family. He contends that even as per the allegations levelled, recovery of the seized material had been effected from one Raju Ram. The confession of said Raju Ram had been recorded implicating the petitioner to the effect that the said tables were to be further sold to the petitioner with the intent that they be further sold in the market. He contends that there is no evidence as would associate the petitioner having any contact with the said Raju Ram at any point in time. It is submitted that the petitioner is in custody since 17.06.2025 and the investigation is already complete as the challan stands presented on 03.07.2025. He submits that petitioner is not required for any further purpose.

4 On the other hand, State counsel reiterates the version as noticed above. He contends that the name of the petitioner sprung up in a disclosure statement of the co-accused and as the petitioner is involved in sprouting the contraband amongst the masses, hence, the concession of regular bail ought not be granted to him. He further contends that the petitioner suffers from criminal antecedents which involves not only the

offence under the NDPS Act, pertaining to recovery of 15 Kgs. of Poppy Husk but also in a case of Excise Act, 1961. It is however not disputed by the State counsel that the petitioner already stands acquitted in the said FIRs.

5 Having heard the learned counsel for the parties and taking into consideration the facts noticed above; the period of custody; the nature of allegations and also that no recovery has been effected from the petitioner and bearing in mind that the trial is yet to commence, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

7 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

September 10, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No