

2025:PHHC:093299



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

CRM-M-51543-2024 (O&M)

Reserved on : 23.07.2025

Pronounced on : 28.07.2025

Ramandeep Kumar @ Rinku @ Raman

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Lovepreet Handa, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J.

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 case bearing FIR No. 105 dated 18.12.2022, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Khui Khera, District Fazilka.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 18.12.2022, on the basis of secret information, the petitioner was apprehended by a police party and recovery of 2200 intoxicating tablets of *Alprazolam* was effected from him. Since he could not produce any valid permit or license to keep in his possession the recovered drug, he was formally arrested at the spot. After completion of necessary investigation and usual formalities, *challan* under Section 173 of Cr.P.C. was presented on 10.04.2023 in the Court and presently, the petitioner is facing trial for commission of aforementioned offence.

2025:PHHC:093299



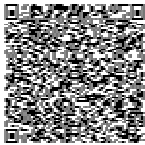
3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. In fact, the alleged recovery was planted upon him. Mandatory provisions of Section 50 of the NDPS Act were not complied with properly. No independent witness was joined. He was falsely implicated in one more FIR of similar nature on the basis of disclosure statement of co-accused. Even otherwise, investigation stands completed and *challan* has been filed. The petitioner is in custody since 18.12.2022 barring period of his interim bail. Conclusion of trial is likely to take time. 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. Status report has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations, the petitioner is not entitled to get benefit of bail. He is involved in one more case of similar nature. If he is released on bail, he may abscond or indulge in similar offences. 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 gone through the record carefully.

6. The petitioner is alleged to have been apprehended on 18.12.2022 and recovery of 2200 tablets of *Alprazolam* is alleged to have been effected from him. The said quantity of the contraband obviously falls under commercial quantity. Hence, the rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. He is shown to be involved in one more case of similar nature. The apprehension of learned State counsel that if

2025:PHHC:093299



extended benefit of bail, the petitioner may indulge in drug smuggling again cannot be stated to be unfounded keeping in view his criminal antecedents. 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. The arguments raised by learned counsel for the petitioner with regard to lacunas in investigation cannot be looked into at this stage as the same is to be decided by the learned trial Court after appreciating the entire evidence and material placed on record before it. Keeping in view the gravity of allegations as levelled against the petitioner, the quantity of the recovered contraband, 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 for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

28.07.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No