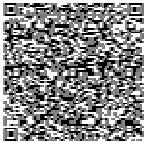


2025:PHHC:102937



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

285

CRM-M-54433-2024 (O&M)
Date of decision: 08.08.2025

Tarsem Singh @ Soma	...	Petitioner
Versus		
State of Punjab	...	Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

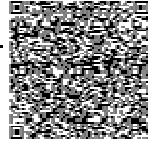
Present:- Mr. Sukhwinder S. Dhillon, Advocate
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 439 of Cr.P.C., is for grant of regular bail to the petitioner in FIR No. 121 dated 19.07.2024, registered under Sections 21-C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Canal Colony, District Bathinda. Along with this petition, the petitioner has also filed an application seeking concession of interim bail in alternative on medical grounds.
2. Brief facts of the case relevant for the disposal of the present petition are that on 19.07.2024, the petitioner along with co-accused Karanpreet Singh were apprehended by a police party and recovery of 01 kg. 05 grams of heroin was effected from them. Recovery of drug money of Rs.2,65,000/- was also recovered at the instance of the petitioner from his car. On the basis of the disclosure statements suffered by them, several other persons were nominated in this case as co-accused. After completion of necessary investigation and usual formalities, *challan* was presented before the Court and presently, the petitioner

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along with the co-accused is facing trial for commission of aforementioned offences.

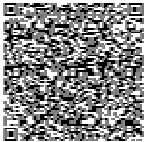
3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. In fact, a false recovery was planted upon him. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 19.07.2024. No useful purpose would be served by keeping him in custody anymore. The petitioner is not maintaining good health and has been recommended knee transplantation by the doctors as he is having constant pain in his knees. On medical grounds also, he deserves to be released on bail or alternatively on interim bail. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Reply has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations, the petitioner is not entitled to get benefit of bail. He is not even entitled to get concession of interim because as per report of the jail doctor, his condition is stable. It is, thus, argued that the petition along with the said application is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner was apprehended by the police party on 19.07.2024 along with said co-accused and recovery of 01 kg. 05 grams of heroin was effected from them. 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 similar case and does not have clean antecedents. Investigation has since been

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completed and *challan* has been filed. Trial is going on and there is nothing on record to show that there would be any undue delay in conclusion of the same. So far as the medical condition of the petitioner is concerned, he has not placed anything on record to support his claim or to show that he is in urgent need of some medical help. More so, the Medical Officer, Central Jail, Bathinda, wherein the petitioner is lodged, has reported that he has mild pain in right hip, back and right leg and is clinically stable. Hence, no ground is made out for grant of interim bail. Keeping in view the discussion as made above, the quantity of recovered contraband, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail, at this stage. Hence, the petition as well as the application seeking grant of interim bail 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.

08.08.2025

Naseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No