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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CRM-M-53550-2025
Date of decision: 26.09.2025**

Rajveer Singh @ Raju

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.0043 dated 25.05.2025, under Section 22(b) of NDPS Act, 1985 registered at Police Station Nandgarh, District Bathinda.
2. The brief facts of the prosecution case are that on 25.05.2025, SI Iqbal Singh, along with other police officials, was on patrolling duty at the link road between village Bambiha and village Raike Khurd. When the police party reached near village Bambiha, at about 4:30 pm, a man was seen sitting on the left side of the road, carrying a plastic envelope in his hand. On seeing the police party, he got perplexed and tried to go towards the fields, but he was apprehended by the police party on suspicion. During his personal search, a polythene was recovered, from which 6 strips of Tramadol Hydrochloride, each containing 10 tablets (a total of 60 tablets), were recovered.
3. Upon notice, the State counsel has appeared and has opposed the bail.



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Both the parties have been heard and material placed on the file has been perused.

4. Learned counsel for the petitioner argued that the petitioner has been falsely implicated and there is no direct evidence connecting the accused with the alleged offence. No offence under Section 22 (b) of NDPS Act is attracted. Petitioner is in custody since 25.05.2025. The contraband recovered falls within non-commercial quantity and the petitioner is, thus, entitled to be released on bail. In support of his contention, learned counsel has cited 2022 (4) RCR (Criminal) 299, **State of West Bengal v. Rakesh Singh @ Rakesh Kumar Singh** and judgment dated 18.7.2025 passed by Coordinate Bench of this Court in CRM-M-34380-2025 titled **Shamsher Singh @ Shera v. State of Punjab** in which it has been held that where the quantity involved is non commercial, rigors of Section 37 of NDPS Act do not apply.

5. On the other hand, learned State counsel has opposed the bail and argued that the petitioner does not deserve to be released on bail in view of gravity of the offence.

6. In the present case, 60 tablets of Tramadol Hydrochloride have been recovered from the petitioner. The contraband recovered falls within non-commercial quantity. Since the contraband recovered falls within non-commercial quantity, the provisions of Section 37 of NDPS Act pertaining to grant of bail are also not attracted. Moreover, the petitioner is in custody since 25.05.2025. Trial is likely to take sufficiently long time to conclude and further detention of the petitioner is, thus, not required and he deserves to be released on bail.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on



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regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

26.09.2025
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(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No