



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

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CRM-M-61342-2024

Date of decision: July 14th, 2025

Sandeep Singh Nahar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Saurav Kanojia, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.207 dated 03.10.2023 under Sections 22, 29 and 27 of The NDPS Act, 1985 registered at Police Station Samrala, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been languishing in custody since 03.10.2023 after he along with two others were allegedly intercepted on suspicion by a police party. It has been asserted by the learned counsel that even as per the case of the prosecution, the petitioner was sitting besides the driver in the car; a box containing 10,000 tablets of Tramadol was allegedly recovered from the rear seat of the car and was lying besides co-accused Lakhbir Singh. Learned counsel has submitted that it is also a matter of record that when the petitioner was nabbed and a personal search was carried out, no recovery of any contraband was made from him, which

further points to his false implication in the present case. Learned counsel has submitted that the petitioner is not involved in any other criminal case much less under The NDPS Act. A prayer has, therefore, been made that in the aforementioned facts and circumstances more so when only two prosecution witnesses out of the 16 have been examined so far, there being no possibility of the trial concluding in the near future, the petitioner deserves to be enlarged on bail.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has it been disputed that the car in which the petitioner was travelling with his co-accused was intercepted on suspicion; the recovery of 10,000 tablets of Tramadol was not effected from the conscious possession of the petitioner but as per the learned State counsel, from a box which was lying next to co-accused Lakhbir Singh, who was seated on the rear seat. Learned State counsel, on instructions from S.I. Nitish Chaudhary, has not disputed that he petitioner is not booked in any other criminal case much less under The NDPS Act. It has also not been disputed that out of the 16 prosecution witnesses cited, only two have been examined so far after the charges were framed on 04.04.2024.

4. Short reply by way of affidavit of Deputy Superintendent of Police, Samrala, District Ludhiana, has been filed in Court, which is taken on record subject to just exceptions.

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

6. The petitioner has been in custody since 03.10.2023. He is not shown to be involved in any other criminal case much less under

The NDPS Act. Concededly, no recovery of any contraband much less Tramadol was made from the petitioner. The trial is unlikely to conclude in the near future as only two witnesses out of the 16 cited by the prosecution have been examined.

7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to say, in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of the same.

July 14th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No