



282

**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.66125 of 2025
Date of Decision: 01.12.2025**

Balwant Singh @ Prince**..... Petitioner****Versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Amarsh Dudeja, Advocate
for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

RAJESH BHARDWAJ, J.

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.354, dated 11.10.2024, under Sections 22(C), 29, 61, 85 of NDPS Act, registered at Police Station Ambala City, District Ambala, Haryana.

2. Succinctly the facts of the case are that the police party while on patrolling on 11.10.2024 near Kalka Chowk Ambala City, received a secret information to the effect that Balwant Singh, son of Gurmukh Singh, is a drug dealer. It was informed that he would take drugs from his house and would go towards Jandali to sell the same to his customers and in case of barricading, he could be apprehended along with the contraband. On receiving the secret information, the barricading



was laid at the place as disclosed in the secret information. At around 09:20 P.M., a person was seen coming on a motorcycle from Jagadhri Gate, Ambala City, who on seeing the police, immediately turning his motorcycle back. However with the help of the police officials, he was apprehended. He was carrying a backpack of black and blue colour on his back. On asking, he disclosed his name to be Balwant Singh @ Prince (petitioner). He was suspected to be carrying some contraband in the backpack having been carried by him and thus, the search was conducted. On conducting the search of backpack, a polythene bag of black colour was recovered, however, on conducting the search of polythene bag, 129 strips of capsules brand Parvion Spas Plus and 110 strips of Alprazolam tablets were recovered. He failed to produce any licence regarding the conscious possession of the same. Thus the FIR was registered and he was arrested on the spot. On registration of the FIR, the investigation commenced. The samples taken were sent to the FSL. On receipt of the FSL report, the contraband recovered containing 777 grams of Tramadol and 312 grams of Alprazolam. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional District & Sessions Judge, Fast Track Special Court for Trial of Offences under NDPS Act, Ambala, praying for the grant of bail. However after hearing both the sides and finding no merit in the same, the learned trial Court, dismissed the bail application filed by the petitioner vide order dated



21.07.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that the present FIR has been registered on the basis of a secret information, however there is a violation of mandatory provisions of Section 42 of NDPS Act. He has submitted that there is a violation of mandatory provisions of Section 50 of NDPS Act in conducting the search. To buttress his arguments, he has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that the investigation is complete and the challan has been presented. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 11.10.2024, however there is no material progress in the trial. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. She has submitted that the petitioner has been specifically named in the secret information. She has submitted that the recovery effected from the petitioner on due compliance of provisions of NDPS Act. She has submitted that as per the FSL report, the contraband weighing 777 grams of Tramadol and 312 grams of Alprazolam was recovered, which is a commercial quantity and thus the provisions of Section 37 of NDPS Act are attracted. She, on instructions, has submitted that the investigation is



complete, the challan stands presented and the charges have already been framed, however the trial is at threshold. She has thus submitted that no case for the grant of regular bail to the petitioner is made out and the present petition deserves to be dismissed.

5. Heard.

8. On hearing learned counsel for the parties and perusing the record, it is deciphered that the present FIR was registered on the basis of secret information. The petitioner was arrested on the spot on 11.10.2024. The contraband weighing 777 grams of Tramadol and 312 grams of Alprazolam was recovered in the present case, which falls under the category of commercial quantity. Custody certificate produced would show that the petitioner has suffered incarceration of 01 year, 01 month and 19 days as on 30.11.2025. Investigation is complete, challan has been presented and the charges have been framed, however the trial is at threshold.

8. Keeping in view the above said position, this Court does not find any ground to release the petitioner on bail at this stage. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

01.12.2025

rittu

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

(RAJESH BHARDWAJ)
JUDGE