



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

231

CRM-M-67050-2025 (O&M)

Date of decision: 04.12.2025

Gurdeep Singh @ Painter

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Amandeep Singh, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.125 dated 12.09.2024, registered under Section(s) 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Dakha, Ludhiana Rural.

2. Briefly summarized, the facts of the present case as mentioned in paragraph No. 4 of the order dated 10.11.2025 passed by the trial Court are that:-

“4. As per the prosecution version, 120 loose intoxicant tablets containing salt Buprenorphine Hydrochloride (average weight 129 grams) were recovered from the conscious possession of applicant and 110 loose intoxicating tablets containing salt Buprenorphine Hydrochloride (average weight 133 grams) were recovered from the conscious possession of

co- accused Kulwinder Singh @ Vicky on 12.09.2024 in the area of Police Station Dakha, without any licence or permit.”.

3. Learned counsel for the petitioner contends that although a total of 230 loose tablets of Buprenorphine Hydrochloride were recovered, only 120 loose intoxicant tablets were recovered from the conscious possession of the petitioner, while the remaining 110 tablets were recovered from co-accused Kulwinder Singh @ Vicky. He submits that the aggregate weight of the entire seized contraband is 29.89 grams, however, in case the weight of the intoxicant tablets recovered from the petitioner i.e.120 tablets is considered, the same weighs 15.72 grams and thus falls below the threshold of commercial quantity.

4. Counsel further contends that the petitioner has been in custody since 12.09.2024 and has undergone an actual custody of nearly 01 year and 03 months. He contends that the petitioner is not involved in any other criminal case and the trial is likely to take a long time to conclude as the charge in the present case was framed only on 03.05.2025 and only 01 out of the total 13 prosecution witnesses has been examined so far.

5. Learned counsel for respondent-State does not dispute the aforesaid factual aspects.

6. Having heard the learned counsel for the parties and taking into consideration the period of actual custody, clean antecedents and recovered quantity from the petitioner, which is less than commercial quantity coupled with the stage of the trial and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

7. Accordingly, the instant petition is allowed and the petitioner is

ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

04.12.2025

Mangal Singh

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