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

CRM-M-6156-2026

Date of Decision:07.04.2026

Shinder Singh @ Sukha

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Harsimran Singh Sidhu, Advocate
for the petitioner.

Mr. K.D. Sachdeva, D.A.G., Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Present third petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.189, dated 31.12.2024, under Section 22 of NDPS Act, 1985, registered at Police Station City Jalalabad, District Fazilka.

2. Succinctly the facts of the case are that the police party while on patrolling on 31.12.2024, received a secret information to the effect that one Shinder Singh @ Sukha is involved in selling of intoxicating tablets. It was informed that today also he is waiting for his customers under the Shed of Dana Mandi, Jalalabad and if raid is conducted, he could be apprehended along with heavy quantity of intoxicating tablets. On receiving the information, the police reached the place as disclosed in the secret information. A person as disclosed in the secret information was seen standing there. On suspicion, he was apprehended by the police party. On



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asking, he disclosed his name to be Shinder Singh @ Sukha (present petitioner). He was suspected to be carrying some contraband, hence, searched was conducted. On conducting the search, 14500 tablets of Tramadol Hydrochloride, were recovered. He failed to produce any license regarding possession of the same and hence, the FIR was registered and he was arrested on spot. The investigation commenced. The samples taken were sent to the FSL. On completion of investigation, challan was presented and on framing of charges, trial commenced. The petitioner approached the Court of Learned Judge, Special Court, Fazilka praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Judge, Special Court, Fazilka vide order dated 27.01.2025. Aggrieved by the same, petitioner earlier approached this Court twice by way of filing of CRM-M-11569-2025 and CRM-M-54773-2025 which were dismissed as withdrawn by this Court vide orders dated 02.09.2025 and 03.11.2025, respectively. Hence, the petitioner is before this Court by way of filing of present third petition for grant of 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 neither the petitioner was present at the place of occurrence which was disclosed in the secret information nor any contraband was recovered from his physical possession. He has submitted that the petitioner has been arrayed as an accused in the present case on the basis of secret information. He has submitted that though petitioner is involved in one more case, however, he is on bail in the said case. He has submitted that there is a violation of mandatory provisions of Section 50 of



NDPS Act in conducting the search of contraband. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State has opposed the submissions made by counsel for the petitioner. He submits that the petitioner was specifically named in the secret information. He has submitted that heavy quantity of tablets containing Tramadol Hydrochloride, were recovered from the petitioner. He has submitted that the recovery effected from the petitioner falls under the commercial quantity and thus the provisions of Section 37 of NDPS Act are attracted. He has submitted that the petitioner is involved in one more case. He has submitted that the case is under trial. He, on instructions, has submitted that out of total 18 prosecution witnesses, only 03 witnesses have been examined so far. He has produced the custody certificate of the petitioner on record. He has thus submitted that in the facts and circumstances, the petitioner do not deserve the concession of regular bail.

5. The Court has heard learned counsel for the parties and perused the record with their able assistance.

6. It is apparent that the petitioner was the sole accused mentioned in the secret information and was arrested on the spot along with 14500 intoxicating tablets containing Tramadol Hydrochloride. Admittedly, the quantity recovered from the petitioner, falls under the commercial quantity. As per the custody certificate, the petitioner is involved in one more case. Out of total 18 prosecution witnesses, only 03 witnesses have been examined till date. Perusal of the record would show that the petitioner approached this Court twice praying for the grant bail, however, when this



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Court was not inclined to grant him bail, both the petitions were dismissed as withdrawn/not pressed vide orders dated 02.09.2025 and 03.11.2025.

7. Needless to say keeping in view the facts and circumstances of the case, this Court does not find any merit in the present petition and thus, the same is hereby dismissed at this stage. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

07.04.2026*ps-I***(RAJESH BHARDWAJ)
JUDGE**

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No