



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108

CRM-M-11796-2025
Decided on : 11.05.2026

Harjinder Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rahul Soi, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present second petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Harjinder Singh	0027	05.02.2024	S. 22, 29, 61, 85 of NDPS Act, 1985	Tripri	Patiala

2. As per the allegations in the FIR, on 05.02.2024, while the police party was on patrolling duty, the petitioner was noticed carrying a heavy polythene bag in his hand. Upon being intercepted and searched, 3120 tablets of Alprazolam IP 0.5 mg were allegedly recovered from the said polythene bag.

3. Without addressing much on the merits of the case, learned counsel for the petitioner submits that petitioner has been falsely implicated



in the present case and was never found indulged in any similar activity in the past. It is further submitted that trial is not progressing at the required pace, inasmuch as, out of total 12 cited prosecution witnesses, only 02 witnesses have been examined till date and, therefore, trial is not likely to conclude in the near future.

On the strength of aforesaid submissions, prayer has been made for grant of concession of regular bail to the petitioner.

4. On the other hand, learned State counsel has filed the custody certificate dated 09.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

5. Learned State counsel, while vehemently opposing the prayer for bail, submits that the recovery effected in the present case falls within the category of 'commercial quantity' and, therefore, keeping in view the nature and gravity of allegations, coupled with the bar contained under Section 37 of the NDPS Act, no case for grant of regular bail is made out.

6. I have heard learned counsel for the parties and perused the relevant material available on record.

7. The quantity allegedly recovered in the present case admittedly falls within the category of commercial quantity, i.e., 396.24 grams, which is almost four times the prescribed commercial quantity of Alprazolam, i.e., 100 grams, under the NDPS Act, 1985.

Besides submitting that out of 12 prosecution witnesses only 02 witnesses have been examined till date, learned counsel for the petitioner has



not been able to address any other substantial argument qua the rigours of Section 37 of the NDPS Act.

8. In view of the aforesaid facts and circumstances, this Court does not find any sufficient ground to grant concession of regular bail to the petitioner at this stage.

Accordingly, present regular bail petition stands **dismissed at this stage.**

However, while parting with the order, the learned trial Court is directed to expedite the proceedings and conclude the trial, preferably within a period of six weeks from today, so as to avoid any possibility of the petitioner seeking regular bail on the ground of delay in trial.

Let a copy of this order be forwarded to the concerned trial Court for information and necessary compliance.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

May 11, 2026

J.Ram

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