

CRM-M-19760-2026 (O & M)

2026:PHHC:059147



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**(227) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-19760-2026 (O & M)

Date of Decision: 20.04.2026

Kaptan Singh @ Captain Singh

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Gursimran Singh Bawa, Advocate, for the petitioner.

Mr. M.S. Toor, AAG, Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 of BNSS read with Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.253 dated 19.09.2025 under Sections 21, 27-A and 29 of the NDPS Act, 1985 registered at Police Station Anti Narcotics Task Force, District ANTF Wing, SAS Nagar (Mohali).

2. The brief facts of the case are that on 19.09.2025, on the basis of secret information, the police party reached near Polytechnic road, near Commissioner Office Telstel, Amritsar Sahib and found three persons checking a transparent polythene which was kept on the seat of a parked scooter Activa bearing No.PB 02 DA 8577. On asking, they disclosed their names as Kaptan Singh alias Captain Singh (petitioner), Baj Singh and Harmandeep Singh. Recovery of 500 grams of heroin came to be effected from the aforesaid transparent polythene. During the course of investigation, Baj Singh suffered a disclosure statement that he alongwith Nishan Singh



(since granted the concession of anticipatory bail vide order dated 22.12.2025, Annexure P-3) and Heera Singh (since granted the concession of anticipatory bail vide order dated 09.02.2026, Annexure P-4) were dealing in narcotics and supplied the same to the customers and used to share the profit. On 19.09.2025, Nishan Singh and Heera Singh had given him (Baj Singh) 500 grams of heroin at his house on scooter Aactiva which he had to further supply to his customers.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The allegations levelled against him are baseless. There is a violation of mandatory provisions of the NDPS Act regarding search and seizure including Section 42 and Section 50. As the petitioner is in custody since 19.09.2025 but none of the 29 prosecution witnesses has been examined so far, the Trial of the case is not likely to be concluded anytime soon. Therefore, he is entitled to the concession of bail, moreso, when two co-accused have been granted the concession of anticipatory bail.

4. The learned counsel for the State, on the other hand, contends that commercial quantity of contraband has been recovered from the petitioner and his co-accused. The grounds raised by the petitioner are to be examined during the course of the Trial and cannot be adjudicated upon at this stage. The petitioner is unable to satisfy the requirements under Section 37 of the NDPS Act that he has not committed the offence in question and is not likely to commit one in future. Therefore, the present petition is liable to be dismissed.

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5. I have heard the learned counsel for the parties.

6. As per the case of the prosecution, the recovery of commercial quantity of contraband has been effected from the petitioner and his co-accused. This Court, at this stage, cannot record a *prima facie* satisfaction under Section 37 of the NDPS Act that the petitioner has not committed the offence in question and is not likely to commit one in future. Therefore, I am not inclined to granted the concession of bail to the petitioner.

7. In view of the above, I find no merit in the present petition and the same stands dismissed.

8. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

20.04.2026
sukhpreet

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