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

**CRM-M No.20571 of 2026
Date of Decision:04.05.2026**

Satnam Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Saajan Singla, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.135, dated 26.04.2024, under Section 22 of NDPS Act, registered at Police Station Sohana, District SAS Nagar, Mohali, Punjab.

2. Succinctly, the facts of the case are that the police party was on patrolling on 26.04.2024 and when they reached ahead of Ladran Banur Road Railway Flyover Saneta, they saw that one sikh person was coming, who was holding a black coloured bag in his right hand. On seeing the police, he got perplexed and tried to turn back. However, on suspicion, he was apprehended by the police party. On asking, he disclosed his name to be Satnam Singh. He was suspected to be carrying some contraband in the



black coloured bag being carried by him and thus, search of the same was conducted. On conducting the search of the bag, 02 strips, each strip containing 5/5 Buprenorphine injections, i.e. total 10 injections of Buprenorphine 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 completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, SAS Nagar praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, SAS Nagar declined the bail application filed by the petitioner vide order dated 01.03.2025. Hence being aggrieved, the petitioner is before this Court praying for the grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He has submitted that as per the case of the prosecution, the alleged recovery of 10 injections of Buprenorphine injections has been effected from the bag being carried by the petitioner and the same has been effected from the public place but no independent witness has been joined. He has submitted that 10 injections containing Buprenorphine were recovered from the petitioner and thus, 20 mg of Buprenorphine have been allegedly recovered from the bag being carried by the petitioner. He has submitted that there is a violation of mandatory provisions of Section 50 of NDPS Act in



conducting the search. He has submitted that as per the statutory provisions of NDPS Act, the contraband above 20 gm would be commercial in nature whereas in the present case, it is 20 mg, thus, the same is not commercial in nature and the provisions of Section 37 of NDPS Act are not attracted. He has submitted that though the petitioner is facing prosecution in other cases, however, he is on bail in those cases. He has submitted that the petitioner is behind bars from last more than 1½ year, however, there is no material progress in the trial. He has submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that on due compliance of provisions of Sections 50 of NDPS Act, the alleged recovery of 10 injections containing 20 mg of Buprenorphine has been effected from the petitioner. He, on instructions, has submitted that out of total 12 prosecution witnesses, no witness has been examined so far. He has submitted that the petitioner is involved in other cases as well. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. On hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner in the present case was arrested in the present case on 26.04.2024. The alleged recovery of 20 mg of Buprenorphine has been effected from the public place, which is a non commercial quantity. The violation of mandatory provisions of Section 50



of NDPS Act is there, as submitted before this Court by learned counsel for the petitioner. No witness has been examined out of total 12 prosecution witnesses. Custody certificate produced would show that the petitioner has suffered an incarceration of 01 year, 08 months and 16 days as on 01.05.2026. It further reflects that the petitioner is involved in 03 more cases, however, in 02 of the case, he is on bail and in 01 case, he has completed his sentence. There is no gainsaying that every accused has the fundamental right of speedy trial.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

04.05.2026

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(RAJESH BHARDWAJ)
JUDGE

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