



CRM-M-25001-2026

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

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**CRM-M-25001-2026
Date of decision: 08.05.2026**

SARBAN SINGH @ SARWAN SINGH

..PETITIONER

VS.

STATE OF PUNJAB

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Chahit Bansal, Advocate for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in case bearing FIR No.12 dated 05.02.2026, registered under Sections 22,27, 61, 85 of NDPS Act, at Police Station Joga, District Mansa.

2. Briefly stated, the petitioner was apprehended by the police under influence of drugs, and upon conducting his dope test, he tested positive for morphine and benzodiazepines. During interrogation, the petitioner suffered a disclosure statement pursuant to which, 30 intoxicant tablets were recovered in shape of three strips containing 10 tablets each, labelled as *Tramadol Hydrochloride Tablets IP 100 mg – Colovidol 100 SR*.



3. Learned counsel for the petitioner prayed for grant of concession of regular bail on following grounds:

- i) petitioner was falsely implicated in present case.
- ii) alleged recovery has been falsely planted upon the present petitioner and that too falls under category of non-commercial quantity.
- iii) investigation qua petitioner has been completed and charges have been framed.
- iv) trial will take sufficient time to conclude and no fruitful purpose would be served by keeping petitioner behind the bars.

4. Notice of motion.

5. Mr. D.S. Malwai, Additional AG, Punjab, appeared on advance notice and accepted notice on behalf of the respondent-State. He opposed the grant of regular bail to the petitioner, submitting that the petitioner is also involved in another case of a similar nature. However, it is not disputed that the contraband falls under the non-commercial quantity category.

6. Heard.

7. Taking into consideration the facts & circumstances of the present case and the rival contentions of the parties, this Court finds merit in the present petition on the following aspects:



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- (i) investigation qua petition has been completed and charges have been framed.
- (ii) alleged recovery on the basis of disclosure statement of petitioner falls within purview of non-commercial quantity.
- (iii) trial is likely take sufficient time to conclude and as such, no fruitful purpose would be served by keeping him in custody for indefinite period.

8. Concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

9. Therefore, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is directed to be released on regular bail upon furnishing the requisite bonds to the satisfaction of the Trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. Nothing observed herein shall be construed as an opinion on the merits of the main case.

May, 08, 2026
Poonam Sharma

(SUBHAS MEHLA)
JUDGE

Whether Speaking/Reasoned: YES/NO

Whether Reportable: YES/NO