



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-27150-2026 (O&M)
Decided on : 19.05.2026

Damandeep Singh @ Balli . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Avneet Singh, Advocate for
Mr. Narinder S. Lucky, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

CRM-21238-2026

Allowed as prayed for.

CRM-M-27150-2026

1. The instant 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
Damandeep Singh @ Balli	45	01.03.2025	S. 22, 61, 85 of the NDPS Act, 1985	Maqsuda	Jalandhar

2. As per allegations, on 01.03.2025, a naka was established by the police party and at that time, petitioner was noticed coming on an Activa scooter bearing registration No. PB08-EW-0964 along with one pillion rider, namely, Ms. Geeta. Upon noticing the naka, petitioner allegedly threw away a polythene bag, which he was carrying and upon search thereof, 152



unmarked pink coloured narcotic tablets containing Etizolam salt, weighing 16.112 grams, were recovered.

3. Learned counsel for the petitioner argues that petitioner, who is about 41 years of age, has been falsely implicated in the present case and has never been found involved in any other similar activity under the NDPS Act.

It is further submitted that the petitioner is inside the jail for more than a period of 01 year and 02 months and the trial is not progressing at the required pace, as out of total cited 13 prosecution witnesses, none has been examined so far.

Accordingly, in view of the aforesaid facts and circumstances, learned counsel for the petitioner prays for grant of concession of regular bail to the petitioner.

4. *Per contra*, learned State counsel, while opposing the prayer for bail, submits that the recovery effected from the petitioner falls within the commercial category and, therefore, rigours of Section 37 of the NDPS Act are attracted in the present case. Thus, keeping in view the nature of allegations and gravity of the offence, petitioner does not deserve the concession of regular bail.

However, learned State counsel does not dispute the factual assertions noticed here-above, particularly the fact that petitioner is not involved in any other case under the NDPS Act and that out of total cited 13 prosecution witnesses, none has been examined so far.

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

6. No doubt, recovery effected from the petitioner falls within the



commercial category and, therefore, rigours of Section 37 of the NDPS Act are attracted in the present case. However, it is also not disputed that petitioner is not involved in any other case under the NDPS Act and is stated to be about 41 years of age.

It is further a matter of record that petitioner is inside jail for the last more than a period of 01 year and 02 months and out of total cited 13 prosecution witnesses, none has been examined so far. Thus, conclusion of trial is not likely in the near future.

Keeping in view the aforesaid facts and circumstances, particularly the clean antecedents of the petitioner and the prolonged incarceration already suffered by him, this Court is of the considered view that the rigours of Section 37 of the NDPS Act stand satisfied to a limited extent for the purpose of consideration of the present petition.

7. Accordingly, without commenting upon the merits of the case, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if, in future, petitioner is directly



found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands **disposed of**.
Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

May 19, 2026
J.Ram

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