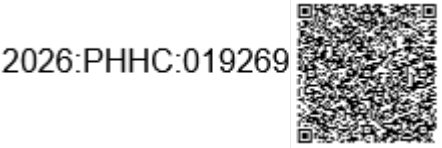


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH



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CRM-M-36292-2025 (O&M)

Sagar @ Labho @ Labo @ Labbu

... Petitioner

Vs.

State of Punjab

... Respondent

1.	The date when the judgment is reserved	06.02.2026
2.	The date when the judgment is pronounced	09.02.2026
3.	The date when the judgment is uploaded on the website	09.02.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Renu Arora, Advocate for the petitioner (through V.C.).

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. This petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking grant of regular bail in case bearing FIR No.147, dated 09.12.2024, registered under Section 22 of the NDPS Act, at Police Station Division No.7, Jalandhar.
2. As per the allegations, on 09.12.2024, the petitioner was

apprehended on the basis of suspicion and was found in conscious possession of 40 strips of Alprazolam tablets total containing 1200 tablets, 590 capsules of Pregabalin capsules totaling 590 capsules, 40 strips of Pregabalin capsules IP 300MG totaling 400 capsules. He could not produce any license or permit for possessing the same. He was formally arrested. The recovered contraband was taken into possession by the police. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 09.12.2024. Totally a false case has been set up against him. The entire case of the prosecution is based on unnatural and improbable version and is full of inconsistencies. The alleged recovery was effected on 09.12.2024 as per Annexure P-3 memo of recovery, however, in the beginning of challan report Annexure P-4, it was mentioned that the occurrence had taken place on 28.01.2024. Similarly then as per Annexure P-5, which is a photocopy of application seeking judicial remand of the petitioner, the occurrence took place on 05.04.2024. It is submitted that those contradictions in the dates are sufficient to show that a false story has been concocted to implicate the petitioner in the case. He is in custody for a period of about 01 year and 02 months. There are no chances of conclusion of the trial in near future as only 02 witnesses have been examined so far. He has clean antecedents. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

4. Per contra, learned State counsel has argued that the allegations against the petitioner are serious in nature. Some mistakes in mentioning the

dates in the challan report and the application for remand, do not falsify the version of the prosecution as they are typographical errors only and if the contents of the challan report and the application for remand are read in entirety, the same show that the occurrence had taken place on 09.12.2024 only. The commercial quantity of contraband had been recovered at the instance of the petitioner. Rigors of Section 37 of the NDPS Act are attracted in this case. On account of prolonged incarceration alone, the petitioner cannot be held entitled to be extended benefit of bail. The trial may be expedited. It is, therefore, stressed that the petitioner does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have been found in conscious possession of commercial quantity of contraband on 09.12.2024. As pointed out by learned counsel for the petitioner, there are some inconsistencies with regard to the date of occurrence as mentioned in the copy of challan report and application seeking remand of the petitioner during the course of investigation. However, on account of those inconsistencies, which appear to be nothing but typographical errors, no inference as to innocence of the petitioner can be drawn. There are specific allegations against the petitioner. Rigors of Section 37 of the NDPS Act are *prima facie* attracted against him. Taking into consideration the gravity of the allegations as levelled against the petitioner, severity of punishment and the attendant facts and circumstances, but without meaning to make any comment on the merits of the case, this Court finds no compelling ground to allow this petition.

Accordingly, the petition is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

09.02.2026

harjeet

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No