



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-42948-2025
Decided on : 10.03.2026

Baldev Singh . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Laghuinder Singh Sekhon, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

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
Baldev Singh	212	20.12.2022	22 of NDPS Act, 1985	City Samana	Patiala

2. Learned counsel for the petitioner argues that as per the case of the prosecution, a total of 1000 loose intoxicant tablets were recovered from a green-coloured polythene bag, which was being handled by co-accused Menka @ Maneka (wife of the present petitioner), while occupying the rear seat of the motorcycle.

He further argues that as per the FSL report, the parcel of tablets received by the laboratory was found to contain 1020 loose tablets.

3. Though a status report has been filed by the State explaining the said aspect in paragraph Nos. 12 and 13, which reads as under:-



“12. That in compliance with the directions of this Hon'ble Court dated 28.08.2025, it is most respectfully submitted that there is a bona fide explanation for the said discrepancy of 20 tablets between the count mentioned in the recovery memo and the count made by the Hon'ble Magistrate. The recovery of the contraband was effected on 20.12.2022 at around 6:15 PM at Dhanetha Chowk near Sarup White House on Patran-Samana Road, which is an outdoor open area location. The month of December is characterized by adverse weather conditions in the region of Patiala and Samana, particularly during the evening and night hours, including dense fog during evening and night hours, early sunset resulting in poor natural light, very low visibility conditions due to fog, and cold weather conditions.

13. That at the time of recovery of the contraband on 20.12.2022, and during the subsequent collection and counting of the scattered tablets which continued till around 7:30 PM, moreover adverse weather and environmental conditions prevailed at the spot as it was dark and there was scarcity of light. It was already dark as due to early sunset in the winter season of December. There was dense fog which significantly reduced visibility. The spot was an open area on the roadside with no proper lighting facilities.”

4. On the basis of the aforesaid discrepancy, learned counsel for the petitioner argues that the loose tablets allegedly recovered from the possession of the petitioner's wife were never produced before the learned Magistrate in their original form, as the parcel ought to have contained 1000 loose tablets only, and not more than that.

5. Since the plea of bail on the ground highlighted here-above has been raised for the first time before this Court, the present petition is disposed of with the observation that it shall be open for the petitioner to file



a fresh bail petition before the learned trial Court on the same cause of action, so that the said aspect may be examined and an appropriate finding recorded thereupon.

6. **Petition stands disposed of accordingly.**

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 10, 2026
J.Ram

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