



CRM-M-45670-2025

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(114+129)

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

CRM-M-45670-2025

Date of Decision: 11.03.2026

SANDEEP SINGH @ SEEPA

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CRM-M-67503-2025

KULDEEP SINGH @ BEERU

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. G.S.Sethi, Advocate
for the petitioner in CRM-M-45670-2025.

Mr. L.S. Sekhon, Advocate
for the petitioner in CRM-M-67503-2025.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

This order shall dispose of two petitions bearing No.CRM-M-45670-2025 titled as Sandeep Singh @ Seepa versus State of Punjab and CRM-M-67503-2025 titled as Kuldeep Singh @ Beeru Versus State of Punjab as the same are arising out of the same FIR. However, for the sake of convenience the facts have been taken from CRM-M-45670-2025.

2. The prayer in the present petitions under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.71 dated

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11.05.2025 registered under Section 15 NDPS Act (Section 29 NDPS Act added later on) at Police Station Dirba, District Sangrur.

3. The brief facts of the case are that Sandeep Singh (petitioner in CRM-M-45670-2025) and Kuldeep Singh @ Beeru (petitioner in CRM-M-67503-2025) were found travelling in a car. The recovery of 54 kilogram of poppy husk came to be effected from them.

4. The learned counsels for the petitioners contend that the petitioners have been falsely implicated in the present case. The petitioners are in custody since 11.05.2025 respectively but only 01 of the 18 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. Even otherwise, as the recovery from the petitioners was marginally above the commercial quantity of 50 kgs of poppy husk, the petitioners are entitled to the grant of bail.

5. On the other hand, the learned State counsel contends that the commercial quantity of contraband has been recovered from the petitioners. Therefore, they are not entitled to the concession of bail in view of the bar contained under Section 37 of the NDPS Act. He, however, concedes that the petitioners are first time offenders, are in custody since 11.05.2025 respectively but only 01 of the 18 prosecution witnesses has been examined so far.

6. I have heard the learned counsel for the parties.



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7. In the cases of 'Sukhchain Singh @ Manga Versus State of Punjab, CRM-M-7857-2022 decided on 04.04.2022, Pardeep Singh versus State of Punjab, CRM-M-46244-2022 decided on 19.01.2023, Hari Yadav @ Haiya versus State of Punjab (CRM-M-37645-2021)' decided on 11.11.2022, 'Jang Kanwar Versus State of Punjab (CRM-M-53415-2021)' decided on 19.01.2022, 'Shankar Prashad Chanau Versus The State of Punjab, CRM-M-24090-2020, decided on 27.08.2020, Gurpreet Kumar Versus State of Punjab, CRM-M-17021-2021, decided on 31.08.2021, Salim Versus State of Haryana, CRM-M-42436-2020, decided on 24.02.2021, Gagandeep Versus State of Punjab, CRM-M-3055-2021, decided on 27.01.2021, Gurpreet Singh @ Gopi Versus State of Punjab, CRM-M-41039-2019, decided on 26.02.2020, Dalbara Singh Versus State of Punjab, CRM-M-47880-2022 decided on 16.01.2023', and Vivek Watts versus State of Punjab, CRM-M-13791-2022 decided on 15.02.2023, where the recovery from the accused was marginally above the commercial quantity for the respective contraband in each case, the Court granted bail to the accused therein.

8. In the present case, the alleged recovery from the petitioners is of 54 kilogram of poppy husk, which is marginally above the commercial quantity of 50 Kgs. In this situation, the provisions of Section 37 of the NDPS Act can be relaxed to an extent and the case of the petitioners can be considered for the grant of bail, moreso, when they are in custody since



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11.05.2025 respectively but only 01 of the 18 prosecution witnesses has been examined so far.

9. Thus, without commenting upon the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

10. The petitioners shall appear on the first Monday of every month before the police station concerned till the conclusion of the trial and furnish an affidavit each time that they are not involved in any other case other than the present case.

11. In addition, the petitioners (or someone on their behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from Trial without sufficient cause.

12. The petitions stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

17.08.2023

JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No