

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:036560



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CRM-M-47854-2025 (O&M)
Date of decision:10.03.2026

Sukhchain Singh @ Gora

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ajay Sharma, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.546, dated 18.12.2024, registered under Sections 22(C) and 29 of the NDPS Act, at Police Station Pinjore, District Panchkula.

2. As per the allegations, on 18.12.2024, on receipt of a secret information to the effect that the petitioner was involved in sale of intoxicating tablets and on that very day also, he was going to supply intoxicating tablets and was present near Paradise Palace village Dhamala, Pinjore and believing the secret information to be true, a raiding party was formed, which reached at the informed place and apprehended the accused, who was found in conscious possession of 800 tablets of Lomotil. The same

weighed to be 51 grams and 40 milligrams. The petitioner was formally arrested. On interrogation, he disclosed that he was going to supply the intoxicating tablets to one Jasveer Singh @ Jassa, who too was nominated as accused and was subsequently arrested. Some additional accused were also nominated and arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. He is in custody since 18.12.2024. The alleged recovery is marginally above the commercial quantity. The trial will take considerable time to conclude as only 01 out of 22 prosecution witnesses has been examined so far. His antecedents are clean. No useful purpose would be served by keeping him in custody anymore. It is, therefore, argued that the petitioner deserves to be released on bail.

4. Per contra, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner and the fact that rigors of Section 37 of the NDPS Act are attracted in this case, he 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 800 intoxicating tablets which are marginally above the commercial quantity. He has been in custody since 18.12.2024. He is not required for any further investigation. The recovery is marginally above commercial quantity. Though the allegations levelled against the petitioner make out a *prima facie* case against the petitioner for commission of subject

offence, however, on a perusal of the record, it is apparent that there are no chances of conclusion of the trial in near future and it will take considerable time. The petitioner has remained in custody since long. Therefore, keeping in view the ratio of law laid down in **Amritpal Singh vs. State of Punjab : 2022 (3) Law Herald 1996, Karandeep Singh @ Sunny vs. State of Punjab : 2021 (3) Law Herald 2230 and Mandeep Singh alias Lakhari vs. State of Punjab : 2022 (1) Law Herald 74**, whereby the accused, from whom the contraband marginally above the commercial quantity was recovered, were granted concession of bail, this Court is of the considered opinion that the petitioner deserves to be granted benefit of regular bail. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

7. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

10.03.2026

harjeet

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No