

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

CRM-M-54060-2025

Date of Decision: 30.01.2026

ROSHANDEEP SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present : Mr. Laghuinder Sekhon, Advocate
and Ms. Sweedel Goyal, Advocate
for the petitioner.

Mr. Surinderjit Singh Nahar, A.A.G., Punjab.

SUBHAS MEHLA, J. (ORAL)

1. The prayer in the present petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case FIR No.45 dated 01.03.2025, registered under Sections 21-C and 29 of the NDPS Act, at Police Station City Kotkapura, District Faridkot.

2. Learned counsel for the petitioner submits that present petitioner has been nominated on disclosure statement of the co-accused, which is inadmissible in evidence; except the disclosure statement, there is no other evidence against the present petitioner; petitioner has been in custody since 14.06.2025; challan has been filed and charges have been framed on 10.09.2025, and hence no useful purpose will be served by further keeping the petitioner in custody. In support of his contentions, learned counsel for the petitioner relied upon the judgments of Hon'ble the Apex

Court in *Shince Babu vs The State of Kerala and another* (Special Leave to Appeal (Crl.) No(s) 16642/2023) decided on 21.02.2024 as well as *Mahendra vs The State of Rajasthan Crl. No(s).2599/2024* decided on 10.07.2024.

3. Learned State counsel submits that the present case pertains to recovery of a commercial quantity of contraband, i.e. 262 grams of *Heroine*, hence attracting the rigours of Section 37 of NDPS Act; petitioner has been nominated as an accused being the supplier of the recovered contraband; as per the separate disclosure statements of both accused, the recovered heroine was part of consignment of 300 grams of *Heroine* which was supplied by present petitioner to the co-accused. In the disclosure statement of co-accused Manjit Singh, a categorical attribution has been made against the petitioner, that the co-accused along with his wife indulged in sale of *Heroin* supplied by the present petitioner, and owed a sum of rupees nine lakh to the petitioner; upon his release on bail on 13.02.2025, he (co-accused Manjit Singh) again came in contact with present petitioner, who told him that the co-accused Manjit Singh could return the sum due after selling *Heroine* supplied by present petitioner; accordingly, present petitioner supplied a consignment of 300 grams of *Heroin*, and out of the same consignment, 262 grams of *Heroine* was recovered in the present case. Learned State counsel further apprised the Court that petitioner does not have clean and clear antecedents, as he is involved in nine more cases, out of which three cases are under NDPS Act; trial on-going and the charges have already been framed in this case. Hence, prayed for dismissal of the petition seeking regular bail to the petitioner.

4. Heard.

5. Petitioner has sought to rely on ratio of law held in *Shince Babu vs The State of Kerala and another* (Special Leave to Appeal (Crl.) No(s) 16642/2023) decided on 21.02.2024 as well as *Mahendra vs The State of Rajasthan Crl. No(s).2599/2024* decided on 10.07.2024. However, this Court finds that facts of both the above-stated cases are distinguishable from the case of present petitioner, as one of the primary considerations for the grant of bail was clean antecedents. Contrastingly, present petitioner does not have clean antecedents, as he has multiple criminal cases lodged against him, out of which, three are under N.D.P.S. Act. Hence, the present petitioner's case cannot derive any benefit from the above-cited judgements.

6. From the facts and circumstances of the case and the rival contentions, it emerges that a commercial quantity of contraband, namely 262 grams of *Heroine*, has been recovered, thereby attracting the rigours of Section 37 of the NDPS Act. The petitioner has been nominated as an accused as the alleged supplier of the recovered contraband, with co-accused Manjit Singh having made categorical allegations against him in his disclosure statement. The petitioner does not possess clean antecedents, as he is involved in nine other cases, out of which, three are under the NDPS Act. As per the status report dated 19.01.2026, the petitioner is a habitual offender and an active drug peddler, giving rise to a serious apprehension that he would misuse the concession of bail and indulge in similar offences if released. Moreover, the challan has been presented and charges have been framed; therefore, it cannot be said that the trial is not progressing or that the petitioner is undergoing prolonged incarceration on that account.

9. While granting bail to an accused, especially in cases under NDPS Act and particularly when the offence attracts rigours of Section 37 of

the Act, the Court is required to look beyond the offence in isolation and take into account the surrounding circumstances, including the impact of the crime on society, and the possibility of the accused indulging in similar illegal activities.

10. The offence of drug peddling or dealing in narcotic substances is not merely a crime against an individual or a simple violation of statutory provisions, but is an offence against society at large. The increasing prevalence of drugs has far-reaching ramifications on the youth, and consequently, on the social fabric. The ever-increasing trend of drug trafficking in the State of Punjab is a matter of grave concern, particularly in view of its devastating impact on the youth.

11. Thus, in view of aforementioned discussion, this Court finds no merit in the present petition seeking bail to the present petitioner. Accordingly, the same is **dismissed**.

12. Nothing observed herein shall be construed to be an opinion on the merits of the case, lest it should affect the merits of the case before the Trial Court.

13. Pending applications (*if any*) also stand **disposed** of.

January 30, 2026
gurpreet

(SUBHAS MEHLA)
JUDGE

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