

2026:PHHC:045133



(111) IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-61687-2025

Date of decision: 23.03.2026

SUKHJEET SINGH

.... Petitioner

VERSUS

UNION OF INDIA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. P.S. Jammu, Advocate,  
for the petitioner.

Mr. Rajiv Sharma (Hissarwale),  
Special Public Prosecutor, NCB with  
Ms. Indu Bala Sharma, Advocate and  
Mr. Vinayak Atttri, Advocate  
for the respondent-UoI.

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**JASJIT SINGH BEDI, J.**

The prayer in this second petition under Section 483 BNSS, 2023 is for the grant of regular bail in case NCB Crime No.05 dated 08.03.2025 registered under Sections 8, 21, 22-C, 25, 29 & 60 of NDPS Act at Police Station Narcotic Control Bureau, Amritsar Zonal Unit, District Amritsar.

2. As per the prosecution case, Sukhjeet Singh (petitioner) was apprehended and the recovery of 490 grams of heroin came to be effected from him. He disclosed that he had purchased the same from Sukha Singh. Subsequently, a complaint was filed by the respondent-NCB against both Sukhjeet Singh and Sukha Singh.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. There is a violation of the mandatory provisions of the NDPS Act regarding search and seizure including Section 50 of the NDPS Act. The prosecution version is inherently unbelievable. As the petitioner is in custody since 08.03.2025 but none of the 10 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the respondent-State, on the other hand, contends that in view of the fact that commercial quantity of contraband has been recovered from the petitioner, the bar under Section 37 of the NDPS Act would apply for the grant of bail as this Court would have to record a finding that the petitioner has not committed any offence nor is he likely to commit one in future. Therefore, the petitioner is not entitled to the concession as prayed for.

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

6. As per the case of the prosecution, commercial quantity of contraband has been recovered from the petitioner. At this stage, this Court cannot record a finding that the petitioner has not committed an offence and is not likely to commit one in future. Therefore, as the conditions enumerated in Section 37 NDPS Act cannot be satisfied, the petitioner cannot be granted the concession of bail at this stage.

7. In view of the above, I find no merit in the present petition. Therefore, the same stands dismissed.

8.                However, the Trial Court is directed to conclude the Trial as expeditiously as possible but in any case not later than 06 months from the next date of hearing fixed before it.

9.                The pending application(s), if any, shall stand disposed of accordingly.

( JASJIT SINGH BEDI)  
JUDGE

23.03.2026

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|--------|---------------------------|----------|
| Jitesh | Whether speaking/reasoned | : Yes/No |
|        | Whether reportable        | : Yes/No |