



CRM-M-61817-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on : 10.02.2026

Sukhdev Singh

... Petitioner(s)

Versus

Union of India

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Paras Jagga, Advocate
for the petitioner(s).

Mr. Sourabh Goel, Special Public Prosecutor NCB with
Ms. Anju Bansal, Advocate and
Ms. Sakshi Gautam, Advocate

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 hereunder:-

Name of Petitioner(s)	Crime No.	Date	Section(s)	Police Station	District
Sukhdev Singh	01	07.01.2025	8, 15, 29 of NDPS Act	NCB Chandigarh	Chandigarh

2. Petitioner – Sukhdev Singh, aged about 60 years is father of Gurkirpal Singh(co-accused), who has already been granted bail by this Court vide order dated 23.07.2025 passed in CRM-M-28015-2025. As per allegations, the petitioner and his son were standing in front of the Bus-Stand at Yamuna Nagar and from the four bags, i.e., one trolley bag, two duffle bags and one bag pack, total



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33.090 Kg. 'poppy straw' was recovered by the respondent–NCB.

It is argued that petitioner has been falsely implicated in the case and suffering incarceration since 07.01.2025, i.e., for a period of more than 01 year. Investigation qua both of them is complete, however, process of recording of statements of the prosecution witnesses is yet to start. Quantity recovered is much less to the 'commercial' nature, i.e., 50 Kg., and therefore, submits that petitioner being inside jail for a period of more than 01 year, and in all likelihood, undergone period would be material at the time of sentencing the petitioner, if at all, held guilty by the trial Court.

3. Learned counsel further submits that co-accused of the petitioner has already been granted bail by this Court vide order dated 23.07.2025 passed in CRM-M-28015-2025, thus, he prays for grant of concession of regular bail to the petitioner as well.

4. Per contra, learned State counsel, while opposing the prayer for regular bail to the petitioner, submits that the recovery in the present case is of 33.090 Kg of poppy straw, which is of substantial quantity and just below the threshold of 'commercial quantity' under the NDPS Act. Such quantity cannot be treated lightly and the offence is grave in nature. He submits that drug trafficking is a menace and has severely impacted society, particularly the youth, and granting bail in such serious matters may send a wrong message and hamper the efforts to curb the drug menace. Besides, petitioner is shown to be involved in eight more cases under the NDPS Act and one under Excise Act.

5. After hearing the learned counsel for the parties, perusing the relevant material on record with their able assistance, and noticing the fact that co-accused of the petitioner has already been granted bail by this Court vide order dated



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23.07.2025 passed in CRM-M-28015-2025, there appears to be no substantial reason to curtail the liberty of the petitioner for an indefinite period. Moreover, culmination of trial shall also take considerable time. Accordingly, considering the totality of the circumstances, the nature of allegations levelled against the petitioner, and the factors noted here above, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

6. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 10, 2026

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