



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-69273 of 2025

Date of Decision: 19.02.2026

Malkeet Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Deepak Kumar Bartia, Advocate
for the petitioner(s).

Mr. Eklavya Darshi, Deputy Advocate General,
Punjab, for the respondent.

Surya Partap Singh, J.

1. This petition for bail, which is first petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed with regard to a case arising out of FIR No. 94 dated 25.04.2025 for the commission of offence punishable under Section(s) 127(2) of the Bharatiya Nyaya Sanhita, 2023 and Section(s) 22 [Section 22(B)(C) & 29 of NDPS Act added later on] of the Narcotic Drugs and Psychotropic Substances Act, 1985, hereinafter being referred to as “NDPS Act” only, Police Station Sadar, District Jalandhar, Punjab.

2. The FIR of this case came into being on the report of ‘ASI Balwinder Kumar’ who had reported that on 24.04.2025 he had received a telephonic message from Inspector/SHO Police Station Sadar that an illegal drug de-addiction centre had been set up near Bus Stand village Samrai and

that a team of Medical Officer, SDM Phillaur, Tehsildar Nurmahal (Duty Magistrate) and DSP Cantt. Jalandhar was going to inspect the premises. According to above named police official when he reached the spot along with the above-mention team, the team of Drug Inspector seized 1005 tablets of RLAM 0.5 MG. (Alprazolam Tablets IP) and 100 tablets of Panadol (Tramadol Hydrochloride Tablets USP 100 MG). According to prosecution, pursuant to above-mentioned recovery necessary steps with regard to seizure and sealing of contraband, slapping of FIR and formal arrest of the accused were undertaken.

3. Heard.

4. It has been contended on behalf of petitioner that the petitioner has been falsely implicated in the present case, and that he has nothing to do with the alleged recovery. According to learned counsel for the petitioner the property from where the alleged recovery had taken place does not belong to the petitioner, and that the petitioner has already faced prolonged incarceration for being in custody for a period of almost ten months. It has also been contended by learned counsel for the petitioner that the petitioner has clean antecedents, and that the trial and investigation are not likely to be concluded in near future.

5. In addition to above, the learned counsel for the petitioner has also contended that due to delay in trial his right of personal liberty and speedy trial are being infringed. In view of above learned counsel for the petitioner has sought for the benefit of bail for the petitioner.

6. Per contra, the learned State counsel has argued that in the present case the recovery of contraband from the premises in occupation of

the petitioner comes within the ambit of commercial quantity. According to learned State counsel in view of huge quantity of contraband recovered from the possession of petitioner, unless the twin conditions enshrined under Section 37 of the NDPS Act are complied with, the petitioner should not be enlarged on bail.

7. The record has been perused carefully.

8. A perusal of the record shows that in the present case there is no denial of the fact that there are allegations against the petitioner that he was running an illegal de-addiction centre and when the raid was conducted in the presence of senior police and administrative officers, a huge quantity of contraband was recovered. Since the above-mentioned recovery comes within the ambit of commercial quantity, in view of law laid down by the Hon'ble Supreme Court of India in the case of 'The State (NCT of Delhi) Narcotics Control Bureau v. Lokesh Chadha' (2021) 5 Supreme Court Cases 724 the petitioner cannot be enlarged on bail unless he satisfies the twin conditions enshrined under Section-37 of the NDPS Act. In the present case there is nothing on record to show that any of the above conditions enshrined under the aforesaid Section stands satisfied and therefore, it is hereby held that the petitioner is not entitled for the benefit of bail.

9. In the present case, it is also relevant to mention here that the period of incarceration of the petitioner is not even one year and thus, by any standard, it cannot be treated that there is delay in trial.

10. As a sequel to above mentioned observations, it is hereby held that the petitioner is not entitled for the benefit of bail and the present petition filed by the petitioner, being devoid of merits, deserves dismissal.

Hence, the present petition is hereby **dismissed**, accordingly.

(Surya Partap Singh)
Judge

February 19, 2026
“DK”

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