



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

CRM-M-71878-2025 (O&M)

Beant Singh

...Petitioner

Versus

State of Punjab

...Respondent

| Sr. No. | Particulars                                                                              | Details        |
|---------|------------------------------------------------------------------------------------------|----------------|
| 1       | The date when the judgment is reserved                                                   | 12.03.2026     |
| 2       | The date when the judgment is pronounced                                                 | 18.03.2026     |
| 3       | The date when the judgment is uploaded on the website                                    | 18.03.2026     |
| 4       | Whether only operative part of the judgment is pronounced or full judgment is pronounced | Full           |
| 5       | The delay, if any, of the pronouncement of full judgment, and reasons thereof            | Not applicable |

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. R. S. Bhullar, Advocate  
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing FIR No. 35 dated 22.04.2025, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Mehna, District Moga.
2. Brief facts of the case relevant for the purpose of disposal of this petition are that on 22.04.2025, the petitioner was apprehended by a police party headed by ASI Manpreet Kaur and recovery of 80 loose tablets (Etizolam) was

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effected from him. Since he could not produce any valid license or permit to keep in his possession the recovered drugs, he was formally arrested at the spot. As per FSL report, the total weight of the recovered tablets was found to be 11.36 grams, which falls under commercial quantity. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, the petitioner is facing trial for commission of aforementioned offence.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery was planted upon him. In fact, the police officials of the Police Station Mehna are having personal animosity with the petitioner and his family as the wife of the petitioner had previously filed a complaint before the higher police officers against Arshpreet Kaur, SHO of the said police station and it was in that backdrop that the petitioner has been falsely implicated in this case. Even after registration of the present FIR, the wife of the petitioner had submitted an application with regard to his false implication but no action was taken. It is further argued that the petitioner was in fact picked up from village Dholewala but his apprehension has been shown by the police from T-point situated at Chugawan to Kapure road. The petitioner is in custody since 22.04.2025. Investigation has since been completed and challan has been filed. Conclusion of trial is likely to take time. His involvement in other cases cannot be made a ground for denying him the benefit of bail in the given circumstances. His continued detention would not serve any useful purpose. With these broad submissions, it is urged that the petition deserves to be allowed.

4. Status report and custody certificate have been filed by respondent-

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State. Learned State counsel has argued that the petitioner is a habitual offender as he is already involved in 13 other FIRs of similar nature. The applications/representations filed by his wife were duly inquired into and finding no substance therein, the same were filed. False and baseless allegations have been levelled against the police officials without any evidence. Even otherwise, at the time of registration of the present FIR, SI Sunita Rani was the SHO of the Police Station Mehna and not the aforesaid Inspector Arshpreet Kaur. The quantity of the recovered contraband falls under commercial quantity, which attracts rigors of Section 37 of the NDPS Act against the petitioner. There are chances of the petitioner's absconding or committing similar offences, if released on bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner is alleged to be found in conscious possession of commercial quantity of intoxicant tablets containing Etizolam on 22.04.2025. Since the recovery involved commercial quantity, the rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. In such circumstances, bail can be granted only if this Court is satisfied that there are reasonable grounds to believe that the accused is not guilty of the alleged offence and is not likely to commit any offence while on bail. However, at this stage, this Court does not find any material on record to record a prima facie satisfaction that the petitioner is not guilty of the offence. The recovery has been effected from the conscious possession of the petitioner and the investigation stands completed. The plea of false implication on account of alleged personal

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animosity with police officials is a matter of defence, which cannot be gone into in detail at the stage of consideration of bail, particularly in the absence of any cogent material to substantiate the same. The argument that the petitioner was picked up from a different place and falsely shown to have been arrested from another location also raises disputed questions of fact, which would be subject matter of trial and cannot be adjudicated upon in these proceedings. Even otherwise, it is candid stand of the prosecution that at the time of registration of the present FIR, the aforesaid officials was not the SHO/Incharge of the Police Station Mehna. It is also not in dispute that the petitioner is involved in as many as 13 other cases of similar nature. Such antecedents prima facie indicate a pattern of conduct and cannot be lightly brushed aside. The apprehension expressed by the State that the petitioner may indulge in similar activities, if released on bail, cannot be said to be unfounded. The custody undergone by the petitioner cannot be termed to be prolonged. There is nothing on record to show that there would be any undue delay in conclusion of trial. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that the petitioner has failed to make out a case for grant of regular bail. Consequently, the present petition is dismissed.

7. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

18.03.2026

*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*