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

**CRM-M No.73980 of 2025 (O&M)
Date of Decision: 11.03.2026**

Bhupinder Singh @ Bhinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Saurav Bhatia, Advocate and
Mr. Karan Bhardwaj, Advocate
for the petitioner.

Mr. K. D. Sachdeva, DAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.44, dated 01.05.2024, under Sections 22(c) NDPS Act (Sections 27, 29 NDPS Act added later on), registered at Police Station City Rampura, District Bathinda, Punjab.
2. Succinctly, the facts of the case are that the police party was on patrolling on 01.05.2024 and when they reached on the road going from Rampura main road Jampura-Barnala to adjoining Kalgidhar Gurudwara Sahib, they spotted two young men looking inside one white coloured plastic bag kept on the seat of motorcycle. However, on suspicion, both were apprehended by the police party. On asking, they



disclosed their names to be Gurpreet Singh @ Gora and Gagandeep Singh @ Bori. They were suspected to be carrying some contraband in the white coloured plastic bag and thus, search of the same was conducted. On conducting the search of the plastic bag, total 13,500 intoxicant tablets containing Tramadol Hydrochloride were recovered. They failed to produce any licence regarding the conscious possession of the same, thus, the FIR was registered and both were arrested on the spot. The samples taken were sent to the FSL. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. On receipt of FSL report, total weight of the contraband recovered was found to be 3.787 Kgs. During the investigation, they made disclosure statement about the complicity of the petitioner as the supplier of the contraband, thus, he was also arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 11.03.2025. The petitioner approached the Court of learned Judge, Special Court, Bathinda, praying for the grant of bail. However after hearing both the sides and finding no merit in the same, the learned Judge, Special Court, Bathinda declined the bail application filed by the petitioner vide order dated 24.09.2025. Being aggrieved, the petitioner earlier approached this Court praying for the grant of bail by way of filing CRM-M-58109-2025, however the same was dismissed as not pressed vide order dated 07.11.2025. Hence being aggrieved, the petitioner is again before this Court by way of filing the present second petition praying for the grant of regular bail.



3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that neither the petitioner was named in the FIR nor any recovery has been effected from him, however he has been implicated in the present case only on the basis of disclosure statement of co-accused, which in itself is not even an admissible evidence. He has submitted that the recovery of 3.787 Kgs of Tramadol Hydrochloride effected in the present case was from the co-accused. He has submitted that even otherwise there is a violation of mandatory provisions of Sections 42 & 50 of NDPS Act. He has submitted that the petitioner is behind bars since the date of his arrest, however there is no material progress in the trial. He has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner has been duly established during the investigation as he was the supplier of the recovered contraband. He has submitted that on due compliance of provisions of NDPS Act, the recovery has been effected in the present case from the co-accused. He has submitted that as per the FSL report, the contraband weighing 3.787 Kgs of Tramadol Hydrochloride was recovered, which is a commercial quantity and thus the provisions of Section 37 of NDPS Act



are attracted. He, on instructions, has submitted that there were transactions in the account of the petitioner, i.e. an amount of Rs.49,500/- on 29.04.2024 and of Rs.32,000/- on 30.04.2024 transferred in the account of the petitioner by the co-accused, who was apprehended on the spot along with the contraband. He, on instructions, has submitted that out of total 21 prosecution witnesses, 04 witnesses have been examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record. He has thus submitted that no case for the grant of regular bail to the petitioner is made out and the present petition deserves to be dismissed.

5. Heard.

6. On hearing learned counsel for the parties and perusing the record, it is deciphered that complicity of the petitioner has been prima facie established in the present case on the basis of disclosure statement of co-accused as the supplier of the recovered contraband. The contraband weighing 3.787 Kgs of Tramadol Hydrochloride was recovered in the present case from the co-accused, which falls under the category of commercial quantity. The allegation made against the petitioner is that he was the supplier of the contraband and on account of the same, transactions for an amount of Rs.49,500/- on 29.04.2024 and Rs.32,000/- on 30.04.2024 were there. Custody certificate produced would show that the petitioner has suffered an incarceration of only 11 months and 27 days as on 10.03.2026. When this Court was not inclined to grant regular bail to the petitioner, his earlier petition bearing CRM-M-



58109-2025 was also dismissed as not pressed vide order dated 07.11.2025. The allegations against the petitioner are serious in nature.

7. Keeping in view the above said position, this Court does not find any ground to release the petitioner on bail at this stage. Hence, the present petition stands dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case. Pending application bearing CRM-10715-2026 also stands dismissed.

11.03.2026		(RAJESH BHARDWAJ)
<i>rittu</i>		JUDGE
	Whether speaking/reasoned :	Yes/No
	Whether reportable :	Yes/No