

2025 PHHC 107504



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

CRM-M-61669-2024

Date of decision : 18.08.2025

Banka Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present: Mr. Nandan Jindal, Advocate,
for the petitioner.

Mr. Vipin Pal Yadav, Addl. A.G., Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner, who is in custody since 04.06.2019, has filed this petition for grant of regular bail in FIR No. 29 dated 04.06.2019, under Sections 15, 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Ghagga, District Patiala.

2. Custody certificate filed on behalf of the State is taken on record.

3. The petitioner is before this Court in this second regular bail application. The allegation is of recovery of 40 Kgs of poppy husk and 4000 tablets of Clovidol 100 SR. So far as the tablets are concerned, the quantity is commercial in nature and therefore, the pre-requisites of Section 37 of NDPS Act need to be satisfied by the petitioner.

4. Another factor, which goes against the petitioner is that he has been involved in four other offences of similar nature in the past, out of which, though he has been acquitted in three cases, but in the remaining one FIR, he has been convicted and appeal is pending and therefore, the petitioner appears to be a habitual offender.

5. To afford a safe and secure atmosphere for the prosecution witnesses to depose, it would be appropriate that the petitioner awaits the recording of statements of the remaining witnesses. However, the petitioner is always free to approach the Court, if the trial is further delayed. With the aforesaid liberty, the petition stands dismissed.

**(SHEEL NAGU)
CHIEF JUSTICE**

August 18, 2025
Ajay Prasher

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