

CRM-M-59893-2024

**225 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**CRM-M-59893-2024  
Decided on : 23.07.2025

Narinder Singh @ Ninder ..... Petitioner

Versus

State of Punjab ..... Respondent

**CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**Present : Mr. P.S.Sekhon, Advocate  
for the petitioner.

Mr. H.S.Wadhwa, DAG, Punjab.

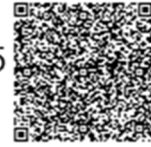
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**H.S.Grewal, J.(Oral)**

1. This is the petition filed under Section 483 of BNSS for grant of regular bail to the petitioner in case FIR No.61 dated 28.06.2024 under Sections 22, 61 and 85 of NDPS Act, 1985 registered at Police Station Dehllon District Ludhiana.

2. The case of the prosecution is that accused Manpreet Singh along with petitioner Narinder Singh @ Ninder had been apprehended in a Bolero pickup on the basis of a secret information and 140 strips of Tramadol and each strips contain 10 tablets i.e. 1400 tablets and on converting into grams, it comes to 278 grams of contraband had been recovered from the possession of the petitioner and co-accused, which was stated to be lying in the feet of the petitioner.

3. Learned counsel for the petitioner *inter alia* contends that there is no compliance of Section 42 of the NDPS Act in the present case. It has been submitted that search etc. was carried out by ASI



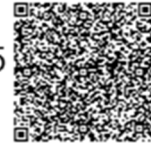
CRM-M-59893-2024

Subhash Chand, who himself had received the secret information as well as carried out the recovery of contraband and also conducted subsequent proceedings in the police file. Learned counsel further submits that the petitioner is not involved in any other criminal case and is in custody for the last more than one year. It has also been submitted that none out of 17 witnesses cited by the prosecution has been examined so far. There is no likelihood of the trial concluding in the near future. A prayer, therefore, has been made to extend the concession of bail to the petitioner.

3. Status report by way of an affidavit of Harjinder Singh, Assistant Commissioner of Police(South), Police Commissionerate Ludhiana along with custody certificate of the petitioner has been filed in Court today, which is taken on record.

4. On the other hand, learned State counsel opposed the prayer made by learned counsel for the petitioner. He, on instructions from ASI Karamjit Singh, has not been able to dispute that the quantity of recovered contraband is commercial in nature. However, it has also not been disputed that no witness has been examined by the prosecution so far and the petitioner is not involved in any other criminal case.

5. On a pointed query put to the Investigating Officer ASI Karamjit Singh, it transpires that there is no compliance of Section 42 of NDPS Act. Neither time was mentioned in the memo prepared under Section 42 of NDPS Act nor any page marking was done on the police file and it seems to have been inserted later on.



CRM-M-59893-2024

6. I have heard learned counsel for the parties and perused the material placed on record.

7. The petitioner has been in custody since 28.06.2024. The investigation in the case in hand is complete as challan stands presented. The trial will take considerable time to conclude as none out of 17 witnesses cited by the prosecution has been examined. The petitioner is not involved in any other criminal case.

8. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

9. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

10. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

23.07.2025  
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**(H.S.GREWAL)**  
**JUDGE**

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