



CRM-M-24920-2025

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

CRM-M-24920-2025

Date of Decision: 27.08.2025

Sandeep Singh @ Sonu @ Sonu Chadda

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Umesh Aggarwal, Advocate, for the petitioner.

Ms. Simran Gorla, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.182 dated 27.12.2017 under Sections 21/22/61/85 of NPDS Act, 1985, registered at Police Station Raja Sansi, Amritsar.

2. Learned counsel for the petitioner has submitted that the petitioner has been falsely and frivolously implicated in the present case. He submits that on 27.12.2017, the petitioner was shown to be carrying an envelope and on conducting search, alleged recovery of 97 capsules and 45 white coloured pills was effected. He submits that the petitioner was arrested on 27.12.2017. He submits that the petitioner was granted bail by learned trial Court vide order dated 05.03.2018. It is submitted that thereafter, the petitioner was regularly appearing before the trial Court, however, he was arrested in some other FIR and was not produced by the prosecution before the trial Court in the present case and hence, his bail was cancelled vide order dated 07.09.2024. It is further submitted that the petitioner, thereafter, was arrested in this case again on production warrant on 13.03.2024 and since then he is behind the bars. He submits that both the contraband as allegedly recovered from the petitioner i.e. as per the case of the prosecution,



45 pills containing 65.47 grams of Tramadol and 97 capsules containing 6.58 grams of Alrazolam, are non-commercial quantity and thus, provisions of Section 37 of the NDPS Act are not attracted. He submits that the petitioner is behind the bars from the last more than one year, however, there is no progress in the trial. He, thus, submits that the petitioner deserves to be granted regular bail.

3. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. She has submitted that though the petitioner was granted bail, however, he misused the concession of bail and thus, the same was cancelled by learned trial Court vide order dated 07.09.2024. It is submitted that the petitioner is facing prosecution in two other cases. On instructions, she submits that out of 11 prosecution witnesses, 03 witnesses have been examined.

4. After hearing counsel for the parties and perusing the record, it is discernible that the petitioner was granted bail in this case way back on 05.03.2018, however, the same was cancelled on 07.09.2024 when admittedly he was in custody in some other case. As submitted, the petitioner is behind bars from the last more than one year, however, only 03 witnesses have been examined, out of total 11 prosecution witnesses so far. Admittedly, alleged recovery of contraband effected from the petitioner is a non-commercial quantity.

5. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will



take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

6. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

27.08.2025

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No