



IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM-M-25889-2024(O&M)

Date of decision:-03.04.2025

MANNI SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Hitesh Verma, Advocate for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

\*\*\*\*\*

**SANJIV BERRY, J. (ORAL)**

The instant second petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
580	17.12.2022	21, 22, 25, 29 of NDPS Act	City Barnala, District Barnala

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case. He contends that the petitioner has no concern whatsoever with the alleged recovery and is in custody since 17.12.2022, after completion of investigation challan has already been presented in Court, and conclusion of trial will take sufficient long time. Hence, prays for grant of regular bail to



the petitioner.

3. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by arguing that on the basis of secret information present petitioner and Malkeet Singh were apprehended and from dicky of their car 7 card board boxes were recovered, out of which 4 boxes containing 450 intoxicant vials make WINCIREX weighing 100 ml each, and in fifth box there were 50 small boxes of intoxicant tablets make Tramwel SR-100 (Tramadol Prolonged-release Tablets IP) with each box containing 50 strips and each strip contain 10 tablets in total 25,000/- tablets and in sixth box there were 600 strips of Alprasafe 0.5 each strip containing 10 tablets in total 6000 tablets, and in seventh and last box 24, 000/- intoxicant tablets were recovered. He submits that as per FSL report the said tablets and vials were found to be “Tramadol Hydrochloride and Alprazolam” and in the vials of WINCIREX were found to “Codeine Phosphate”. He submits that the alleged huge recovered intoxicant falls within the purview of commercial quantity, which attracts Section 37 of the NDPS Act, as such, the petitioner is not entitled to the concession of bail. Moreover, he submits that petitioner is habitual offender and is involved in 1 more case under NDPS Act, hence, prayed for dismissal of the regular bail petition.

4. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered by the police on the basis of secret information and during search, present petitioner and co-accused Malkeet Singh were apprehended and from dicky of their car 7 card board boxes were recovered, from which four boxes containing 450 intoxicant



vials make WINCIREX weighing 100 ml each, in fifth box there were 50 small boxes of intoxicant tablets make Tramwel SR-100 (Tramadol Prolonged-release Tablets IP) with each box containing 50 strips and each strip contain 10 tablets in total 25,000/- tablets and in sixth box there were 600 strips of Alprasafe 0.5 each strip containing 10 tablets in total 6000 tablets, and from last box 24,000/- intoxicant tablets were recovered. He submits that as per FSL report the said tablets and vials were found to be “Tramadol Hydrochloride and Alprazolam” and in the vials of WINCIREX were found to “Codeine Phosphate”. The recovered contraband falls within the purview of ‘commercial quantity’ and attracts bar under Section 37 of the NDPS Act.

5. Admittedly, as per the reply submitted by the State, petitioner is also involved in one more case under NDPS Act. Therefore, considering the nature and gravity of the offence, as well as the the fact that the recovered contraband falls within the purview of ‘commercial quantity’, attracting bar under Section 37 of the NDPS Act, no case is made out in favour of the petitioner for grant of regular bail at this stage, as a consequence, the petition is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

7. Pending application(s) if any shall also stand disposed of.

**(SANJIV BERRY)**  
**JUDGE**

**03.04.2025**

*Gyan*

- i) Whether speaking/reasoned?
- ii) Whether reportable?

Yes/No  
Yes/No