





cyclist disclosed his name as Sahib Singh @ Saba and the person sitting behind him told his name as Karaj Singh (petitioner). From the thrown polythene envelope, heroin weighing 8.1 gram was recovered.

Learned counsel for petitioner contended that the petitioner has been falsely implicated in the present case and even the quantity of heroin allegedly recovered in the present case, does not come under the “commercial quantity” and therefore, rigors of Section 37 of NDPS Act would not be attracted. He further urged that the co-accused of the petitioner namely Sahib Singh has already been granted concession of regular bail by the Court of learned Additional Sessions Judge, Tarn Taran, vide order dated 20.06.2025. The role attributed to the petitioner in the present case is exactly same as that of his co-accused. The petitioner has already undergone custody of 04 months and 13 days and therefore, it has been prayed that considering his case at par with the co-accused, the petitioner be also released on bail.

Learned State counsel has opposed the bail petition while contending that the petitioner was a habitual offender and was involved in three more cases. The petitioner was apprehended red handed at the spot. The menace of drug is eating the basic fabric of the Society like termites. More and more youngsters are becoming drug addicts. It is crime against Society at large. So, the petitioner does not deserve the concession of bail.

I have heard the learned counsel for the parties and have also gone through the case file.

The main allegation against the petitioner is that he was found in conscious possession of heroin weighing 8.1 gram, which falls within the



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intermediate quantity. As per Status Report, the petitioner has been found involved in three more criminal cases. Out of these cases, he was released on probation in two cases but was convicted in one case. As per the Custody Certificate placed on record, the petitioner has already undergone custody of 04 months and 13 days, as on 23.08.2025. Co-accused of the petitioner namely Sahib Singh has already been granted regular bail by the Court of learned Additional Sessions Judge, Tarn Taran, vide order dated 20.06.2025. Trial of the case is going on and conclusion of the same is likely to take long time. So, no useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

**August 26, 2025**

*monika*

**(SUKHVINDER KAUR)  
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>