

2025:PHHC:057484



214.

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

CRM-M-22341-2025

Date of decision: 02.05.2025

Gurdeep Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Davinder Singh, Advocate, for the petitioner,
through Video Conferencing.

Mr. Shiva Khurmi, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. This is second petition that has been filed under Section 483 of BNSS, for grant of regular bail to the petitioner in case FIR No.0187, dated 17.11.2023, under Section 22(c) of NDPS Act, 1985, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 17.11.2023 after he and the co-accused were allegedly nabbed on suspicion and thereafter, a recovery of 1000 tablets of tramadol made. It has been submitted that the petitioner has no previous criminal antecedents, which lends credence to his false implication in the present case. Learned counsel has further argued that since 15 prosecution witnesses remain to be examined, further incarceration of the petitioner

would serve no useful purpose, as the possibility of the trial concluding in the near future looks remote.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Guriqbal Singh, has not disputed that the petitioner has no previous criminal antecedents. However, it has been submitted that the petitioner along with co-accused were intercepted on suspicion; the police on nabbing the petitioner, recovered a bag which the petitioner was holding in his hand while pillion riding behind the co-accused. From the bag, a huge recovery of 1000 tablets of tramadol, weighing 394 grams was effected, which is much beyond the minimum classified as 'commercial' under the NDPS Act. Learned counsel has argued that proper offer of search was also made by the police party, however, the petitioner opted to get himself searched in the presence of the police officials, in which regard, a consent memo was also prepared and the same bears his signatures. Learned counsel has submitted that after the charges were framed on 06.05.2024, while 05 prosecution witnesses had been given up, 01 had been examined, and the next day fixed before the Trial Court is 06.06.2025 when some of the remaining witnesses were likely to be examined. It has also been submitted by the learned State counsel that it would be ensured that no unnecessary adjournment is granted by the Trial Court owing to the non-appearance of any of the prosecution witness and it would also be ensured that the remaining prosecution witnesses duly appear before the Trial Court on each and every date to get their evidence recorded.

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

5. The petitioner, no doubt, has been in custody since 17.11.2023, however, the recovery allegedly effected from him is multiple times more than the minimum classified as 'commercial' under the NDPS Act. The next date fixed before the Trial Court is 06.062025 and, therefore, there is every likelihood that the trial would not take much time to conclude.

6. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner.

7. Present petition stands dismissed accordingly.

8. However, the Trial Court shall make earnest efforts to expedite the trial and conclude the same at the earliest preferably within the next 04 months.

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

(MANJARI NEHRU KAUL)
JUDGE

May 02, 2025
sanjeev

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