

2025:PHHC:077270



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

224

CRM-M-30522-2025

Date of decision: July 01, 2025

SUKHWINDER SINGH @ NUNA @ SUKHA

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. K.S. Siwach, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J.

1. The instant petition is the second petition filed under Section 483 of the Bharatiya Nyaya Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.205 dated 09.08.2024 under Sections 22-C (Act No.61) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (and Sections 22(b), 27-A of the NDPS Act added later on and Section 22-C of the NDPS Act deleted later on), registered at Police Station Sadar Ratia, District Fatehabad (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 09.08.2024 after he was allegedly found in possession of 590 tablets of Tramadol weighing 2.200 grams. It has been submitted that the alleged recovery although is classified as 'non-commercial' under the NDPS Act. It has still further been submitted that investigation is complete *qua* the petitioner as not only challan stands presented but even charges stand framed on 21.04.2025, however, only 1 out



of the 22 witnesses cited by the prosecution has been examined till date, hence, the possibility of the trial concluding in the near future does not arise.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has he disputed the stage of trial; on further instructions, learned State counsel has also not disputed that the alleged recovery made from the petitioner stands classified as ‘non-commercial’ under the NDPS Act. However, it has been asserted that the petitioner was apprehended by the police following a secret information and after due compliance of the mandatory provisions of the NDPS Act. The next date fixed before the learned trial Court, as per the instructions received by the learned State counsel, is 13.08.2025, when some of the remaining 21 prosecution witnesses will be examined.

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

5. In the facts and circumstances as enumerated hereinabove, further incarceration of the petitioner, who has been in custody since 09.08.2024, would serve no useful purpose as the trial would take considerable time to conclude. Therefore, this Court deems it fit to allow the instant petition, and extend the concession of regular bail to the petitioner.

6. Accordingly, the instant petition is allowed, and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.



7. 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.

8. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

July 01, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*