



CRM-M-50747 of 2025

-1-

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

218

CRM-M-50747 of 2025
Date of Decision: 16.09.2025

Sukhdeep Singh @ Laddi @ Puri

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

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

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.80 dated 01.05.2022 registered under Sections 15, 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 323 and 506 of IPC, at Police Station Kotbhai, District Sri Muktsar Sahib.

2. Brief facts of the present case are that as per the prosecution, the petitioner along with other co-accused indulged in the business of selling poppy husk, intoxicating tablets and 'chitta' to addicts under the garb of a general store.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He argued that recovery of alleged contraband has already been effected from co-accused Harjinder Kaur @ Mango, which falls under the non-commercial quantity and nothing has been recovered from the present



CRM-M-50747 of 2025

-2-

petitioner. The petitioner is in custody since 06.05.2023. The investigation in the case is complete, challan stands presented and charges have also been framed. Further, co-accused namely, Jagseer Singh @ Mela, Jaswinder Singh @ Gora and Harjinder Kaur @ Mango have already been granted the concession of regular bail by a Co-ordinate Bench of this Court, vide orders dated 15.09.2022, 12.12.2022 and 10.01.2023, respectively. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind the bars. Therefore, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He has further submitted that the petitioner is also involved in another case of NDPS Act meaning thereby he is a habitual offender.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 02 years and 03 months; investigation is complete; challan stands presented; charges have also been framed, and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. Reliance is placed upon in *Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*, wherein Hon'ble Apex Court



CRM-M-50747 of 2025

-3-

has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

8. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

9. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

16.09.2025

D.Bansal

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