



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

CRM-M-2301-2026 (O&M)
Reserved on : 20.03.2026
Pronounced on : 24.03.2026

Sunil Singh Negi @Sunil Kumar Negi

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Argued by : Mr. S.S. Rangi, Senior Advocate with
Mr. Fateh Sahota, Advocate for the petitioner.

Mr. Jasdev Singh Thind, DAG Punjab.

SURYA PARTAP SINGH, J.

This petition for bail is the first petition, filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.199 dated 21.07.2025, for the commission of offence punishable under Section 21 of Narcotic Drugs and Psychotropic Substances Act, hereinafter being referred to as 'NDPS Act', Police Station Anti Narcotics Force (ANTF), District SAS Nagar.

2. The abovementioned FIR came into being at the instance of 'ASI Piyara Singh', who reported that on 21.07.2025, on the basis of a secret information, a car was intercepted and Pronoy Samuel and Sunil Kumar Negi (petitioner herein) were apprehended. As per abovesaid police official, when search of abovementioned car was carried out, it was found that they were carrying 304 gms of Heroin.



3. It is the case of the prosecution that pursuant to recovery of abovementioned contraband, necessary formalities with regard to seizure & sealing of contraband, lodging of FIR, and formal arrest of the accused were performed, and further investigation taken up.

4. Heard.

5. It has been contended by learned counsel for the petitioner that the petitioner is innocent, who has been falsely implicated in the present case, and that the petitioner has no criminal antecedents. It has also been contended by learned counsel for the petitioner that the petitioner has already suffered a prolonged incarceration for being in custody for a period of more than seven months, and that nothing has been left to be recovered from the possession of petitioner. While claiming that the right to speedy trial and personal liberty of the petitioner is being violated, it has been contended by learned counsel for the petitioner that the present petition deserves to be allowed and the petitioner is entitled for the benefit of bail.

6. The learned State Counsel has controverted the abovementioned arguments. According to State Counsel, the quantity of contraband recovered in this case comes within the ambit of 'commercial quantity', and therefore, unless the twin conditions enshrined under Section-37 of NDPS Act are satisfied, the benefit of bail should not be accorded to the petitioner.

7. The record has been perused carefully.

8. A perusal of record shows that, the quantity of contraband, recovered in this case, comes within the ambit of 'commercial quantity', and



therefore, the benefit of bail can be accorded to the petitioner only in two circumstances, firstly if the twin conditions enshrined under Section-37 of NDPS Act are complied with, and secondly, if there exist circumstances to show that the abovementioned conditions should be relaxed due to prolonged incarceration of the petitioner. However, in the present case, any of the abovementioned two conditions does not stand complied with.

9. It is also relevant to mention here that the petitioner is in custody for a period of seven months and twenty three days only, and the abovementioned period of incarceration cannot be treated to be large enough to draw an inference that fundamental right of life and liberty, or of speedy trial, guaranteed to the petitioner, by the Constitution, is being infringed in this case. Admittedly, there is no delay in the trial as the period of custody is not large enough.

10. As a sequel to abovementioned observations, it is hereby held that being devoid of merit, the present petition deserves dismissal. Hence, the same is hereby *dismissed*, accordingly.

11. However, it is clarified that the abovementioned observations shall not have any bearing upon the merits of the case.

12. Pending miscellaneous application(s), if any, also stand(s) disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

24.03.2026

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No