



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

Sr.No.228

**CRM-M-15957-2026
Decided on : 11.05.2026**

Malkeet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Manbir Singh Batth, Advocate
for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 483 of the BNSS, 2023 is for grant of regular bail to the petitioner in case FIR No.74 dated 15.06.2025, registered under Sections 21(C), 29, 61 & 85 of Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Sadar Jalalabad, District Fazilka.

2. Brief facts as per the prosecution case are that on 15.06.2025, ASI Sukhdev Singh alongwith the other police official was on patrolling and on the basis of suspicion, apprehended the petitioner and the co-accused, and 500 grams of heroin and a motorcycle was recovered from them. Hence, the present FIR.



3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further contends that the allegations levelled against him are false and he has no concern with the said offence. Learned counsel contends that mandatory provisions of the NDPS Act were not complied with at the time of alleged search and seizure. He further contends that the petitioner was illegally picked up and detained by the police officials from his fields much before the alleged incident and such illegal detention seriously undermines the credibility of the prosecution case and casts a serious doubt upon the fairness and authenticity of the alleged recovery and the investigation. He further submits that the prosecution story is highly improbable and the recovery of alleged contraband from the petitioner is planted upon him. It is further contended that there is nothing on record to connect the petitioner with the alleged offence. Nothing more is to be recovered from the petitioner. Learned counsel also submits that the petitioner is in custody since 15.06.2025 and the conclusion of trial will take long time, hence, no useful purpose would be served by keeping him behind bars. On these grounds, it is prayed that the present petition be allowed.

4. On the other hand, learned State counsel has filed the status report which is taken on record. She while referring to the said status report has opposed the prayer for grant of anticipatory bail by submitting that the allegations levelled against the petitioner are serious in nature. She has submitted that the recovery of alleged contraband effected from the petitioner and co-accused in the present case falls under the commercial quantity. Further, as per the registration authorities, the motorcycle on which both the petitioner and co-accused were coming on that day, belongs



to the petitioner. She further submits that the entire recovery proceedings are videographed, hence there is no dispute regarding the authenticity of alleged recovery or the investigation. Thus, the petitioner does not deserve any concession from this Court.

5. Having heard learned counsel for the parties at length and after perusing the record, it is evident that the allegations levelled against the petitioner are serious in nature. The recovery of alleged contraband effected from the petitioner and co-accused in the present case falls under the commercial quantity. Further, the motorcycle on which the petitioner and accused were coming on that day, belongs to the petitioner. This Court cannot lose sight of the fact that the country has been grappling with a grave and pervasive drug menace, which has had devastating effects on the social fabric, particularly the youth. The offences under the NPDS Act are, therefore, required to be dealt with a firm hand. The present petition has been filed by the petitioner seeking bail mainly on the ground of his prolonged custody. It is trite law that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made by the Hon'ble Supreme Court in ***Kalyan Chandra Sarkar v. Rajesh Ranjan @ Pappu Yadav, 2004 AIR(SC) 1866, Chenna Boyanna Krishna Yadav v. State of Maharashtra, (2007) 1 SCC 242*** and ***State through CBI v. Amaramani Tripathi, 2005 (4) RCR (Criminal) 280(SC)***.

6. Keeping in view the gravity of the allegations as levelled against the petitioner, coupled with the quantum of sentence which the



conviction may entail and the attendant facts and circumstances but without meaning to make any comment upon the merits thereof, this Court is of the considered opinion that the present petition does not deserve to be allowed.

7. Accordingly, the present petition being bereft of any merit, is dismissed.

8. All miscellaneous application(s), if any, stands disposed of accordingly.

11.05.2026

mamta

**(RUPINDERJIT CHAHAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No