



**IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL No.1558/2025  
[Arising out of SLP (Crl.) No.1031/2025]**

**KULWANT SINGH**

**APPELLANT**

**VERSUS**

**THE STATE OF PUNJAB**

**RESPONDENT**

**O R D E R**

1. Leave granted.
2. The High Court of Punjab and Haryana by the impugned judgment and order dated 13<sup>th</sup> December, 2024 has rejected the appellant's prayer for bail in anticipation of arrest.
3. The appellant figures as an accused in FIR No.77/2024 dated 16<sup>th</sup> September, 2024, registered at Police Station Lakho Ke Behram, District Ferozepur, Chandigarh, Punjab, under Sections 22 and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985<sup>1</sup>.

1 NDPS Act

4. It is alleged in the afore-mentioned FIR that 550 tablets of Tapentadol Hydrochloride were recovered from a car in which the appellant was traveling with the co-accused, who happens to be the owner of such car.

5. We have heard Mr. Karandeep Singh Sidhu, learned counsel appearing for the appellant and Ms. Baani Khanna, learned counsel for the respondent.

6. It is the claim of Mr. Sidhu that Tapentadol Hydrochloride tablet is not included in the list of psychotropic substances specified in the Schedule, appended to the NDPS Act.

7. There are reported judgments of the High Courts<sup>2</sup> holding that Tapentadol Hydrochloride is not a psychotropic substance, included in the Schedule of the NDPS Act.

8. No contrary decision has been brought to our notice.

9. We are, accordingly, of the view that the appellant is entitled to be admitted to an order for grant of pre-arrest bail.

10. Accordingly, the impugned judgment and order is set aside.

11. It is directed that in the event of the appellant being arrested, he shall be released on bail by the trial court on terms and conditions to be fixed by the trial court.

12. The appeal is, accordingly, allowed on the aforesaid terms.

13. Pending application(s), if any, shall stand disposed of.

.....J.  
(DIPANKAR DATTA)

.....J.  
(MANMOHAN)

**New Delhi;  
March 28, 2025.**

**ITEM NO.4**

**COURT NO.14**

**SECTION II-B**

**S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS**

**Petition(s) for Special Leave to Appeal (Crl.)  
No(s).1031/2025**

**[Arising out of impugned final judgment and order  
dated 13-12-2024 in CRM-M No.62899/2024 passed by  
the High Court of Punjab & Haryana at Chandigarh]**

**KULWANT SINGH**

**Petitioner**

**VERSUS**

**THE STATE OF PUNJAB**

**Respondent**

**(With I.A. No.18500/2025-EXEMPTION FROM FILING C/C  
OF THE IMPUGNED JUDGMENT and I.A. No.18501/2025-  
EXEMPTION FROM FILING O.T.)**

**Date : 28-03-2025 This matter was called on for  
hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE MANMOHAN**

**For Petitioner(s) :Mr. Karandeep Singh Sidhu, Adv.  
Ms. Ruchi Gupta, AOR**

**For Respondent(s) :Ms. Baani Khanna, AOR**

**UPON hearing the counsel the Court made the  
following  
O R D E R**

1. Leave granted.
2. The appeal is allowed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

<b>(RASHMI DHYANI PANT)</b>	<b>(SUDHIR KUMAR SHARMA)</b>
<b>ASTT. REGISTRAR-cum-PS</b>	<b>COURT MASTER (NSH)</b>
<b>(signed order is placed on the file)</b>	