



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-12453 of 2026

Date of Decision: 14.07.2026

Parmod Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Naveen Sharma, Advocate
for the petitioner(s).

Mr. Rohit Bansal, Senior Deputy Advocate General,
Punjab, for the respondent.

Surya Partap Singh, J.

1. This petition for bail is third 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. 149 dated 14.08.2024, for the commission of offence punishable under Section(s) 21C & 29 of ‘the Narcotic Drugs and Psychotropic Substances Act, 1985’, Police Station Bahu Gobindgarh Mandi, District Fatehgarh Sahib, Punjab.
2. The FIR of this case came into being at the instance of ‘ASI Kashmiri Lal’. It was reported, by the above named officer, that on 14.08.2024 when he was leading a team of police officials, deputed for patrolling duty, on the basis of suspicion a car was intercepted. According to above named police officer, on enquiry the driver of the car disclosed his name as ‘Kuldeep Singh’. It is the case of the prosecution that the person

sitting on co-driver seat identified himself as ‘Chamanjit Singh’, and that on

search of car 500 grams of 'Heroin' was recovered.

3. It is the case of the prosecution that pursuant to recovery of above-mentioned contraband, requisite formalities with regard to seizure & sealing of contraband, formal arrest of the accused and registration of FIR were completed.

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 trial is taking place at a very slow pace. It has been further contended by learned counsel for the petitioner that this is third petition for bail filed by the petitioner, and that former two petitions were not decided on merits.

6. In addition to above, it has also been contended by learned counsel for the petitioner that the petitioner has already suffered prolonged incarceration, and that the manner, in which the investigation was conducted, was not in conformity with the settled principles of law. In view of above, learned counsel for the petitioner has sought for the benefit of bail for the petitioner.

7. In addition to above, it has also been contended by learned counsel for the petitioner that the second petition for bail filed by the petitioner was dismissed on 22.07.2025, and that at the time of filing of above-mentioned petition, it was observed by this Court that in case the trial is concluded within a period of 1½ years from the date of dismissal of petition, the petitioner may apply for bail before the trial Court.

8. The learned State counsel has controverted the above-

mentioned arguments. According to learned State counsel, in the present case the recovery of contraband comes within the ambit of commercial quantity and therefore, without satisfying the twin conditions enshrined under Section 37 of 'the NDPS Act', the petitioner cannot be enlarged on bail.

9. In addition to above, it has also been contended by the learned State counsel that in the present case, the details of other cases pending against the petitioner have not been properly mentioned as the petitioner – 'Parmod Kumar' is facing trial in three other cases, but in the present petition he has mentioned the details of two cases only. As per learned State counsel by mentioning the wrong details of the cases pending against the petitioner, the petitioner has rendered himself ineligible for the benefit of bail on this ground itself.

10. It has been further contended by the learned State counsel that otherwise also, from the date of dismissal of second bail petition, no significant change in prevailing circumstances has taken place.

11. The record has been perused carefully.

12. At the very outset, it is pertinent to mention here that vide order dated 22.07.2025 the period of 1½ year was accorded for the conclusion of trial. The above-mentioned period is, yet, to expire. Thus, it can be observed that the petitioner has not followed the directions passed by this Court in the petition, i.e. CRM-M-3766-2025, decided on 22.07.2025.

13. Otherwise also, in the present case, the recovery of contraband from the possession of petitioner and his co-accused comes within the ambit of commercial quantity and therefore, without satisfying the twin conditions

enshrined under Section 37 of ‘the NDPS Act’, the petitioner is not entitled to the benefit of bail. There is nothing on record to show that the petitioner complies with both the above-mentioned conditions.

14. In addition to above it is also relevant to note that from the date of dismissal of second bail petition, no significant change in circumstances has taken place.

15. Taking into consideration the cumulative effect of all the above-discussed factors, it is hereby observed that the petitioner is not entitled to the benefit of bail and the present petition is devoid of merits. Hence, the same is hereby **dismissed**, accordingly.

16. It is, however, clarified that any observations made in the above-mentioned order shall not be construed as an expression of opinion on the merits of the case.

(Surya Partap Singh)
Judge

July 14, 2026
“DK”

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