



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-19605-2026

Date of decision: 23rd July, 2026

Jasvir Singh @ Jasbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 33 dated 03.06.225 registered under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '*NDPS Act*') and Section 29 of Arms Act, 1959 (Section 109 of BNS was added later on) at Police Station State Special Operations Cell, Amritsar, District Intelligence Wing, Punjab. His previous petition bearing CRM-M-39400-2025 had been dismissed after passing a detailed order vide order dated 21.01.2026 by making the following observations:-

6. The petitioner had admittedly sustained firearm injuries as on 03.06.2025 at the hands of the police officials when he was



allegedly tried to be apprehended along with the co-accused and was carrying firearms as well as contraband. Recovery of firearm has been effected from him. The allegations make out a prima facie case for commission of offence punishable under Section 109 of BNS against him. His act of firing shots upon the police official also prima facie points out his knowledge that the co-accused who was with him was having commercial quantity of contraband with him. The investigation is still going on. The petitioner has remained on interim bail for quite sometime after filing of this petition and has surrendered only recently. Though the petitioner has claimed that his medical condition has not improved, however, no latest medical record has been produced by him to show so. Taking into consideration the gravity of the allegations as levelled against him, the acts attributed to him and the fact that the investigation is still underway, this Court is of the considered opinion that the petitioner does not deserve to be extended benefit of bail at this stage. Accordingly, the petition is dismissed.”

2. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No contraband has been recovered from him, and a false recovery of an illicit weapons has been planted upon him. In fact, it was he who had sustained firearm injuries caused by the police officials on the fateful day and was taken to the hospital and in a bid to shield themselves, the police officials falsely implicated him in the present case. His antecedents are clean. Investigation now stands concluded. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. Each day spent by him in custody has furnished a fresh ground to



him to seek the concession of bail. With these broad submissions, it is urged that he deserves to be extended the benefit of bail.

3. Learned State counsel has argued that the petition is not maintainable, the same being a successive petition, his previous petition having already been dismissed after passing a detailed order by this Court. There is no drastic change in the circumstances. The trial has commenced and there is nothing on record to show that there would be any undue delay in its conclusion. Recovery of commercial quantity of contraband along with a weapon had been effected from the possession of the petitioner and co-accused, when they were together and as such, the said recovery is to be considered as a joint recovery. There are chances of the petitioner's absconding or committing similar offences, if extended the benefit of bail. It is, therefore, argued that the present petition is liable to be dismissed.

4. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

5. So far as the question of maintainability of the petition is concerned, it may be mentioned that an accused has a right to make successive applications for grant of bail, and it is the duty of the Court, while entertaining such a subsequent bail application, to consider the reasons and grounds on which the earlier bail petition was rejected. The petitioner's previous regular bail petition had been dismissed by passing a detailed order. The investigation has now concluded, there is no material to show that there would be any undue



delay in the conclusion of the trial. The allegations against the petitioner are quite serious in nature. Apart from the fact that he has now undergone a period of incarceration of about nine months, the petitioner has not been able to show any other drastic or substantial change in the circumstances. It is well-settled proposition of law that prolonged incarceration alone, in serious offences, cannot be considered to be a ground for extending the benefit of bail. In view of the aforesaid discussion and the facts discussed above, this Court is of the considered opinion that the present petition does not deserve to be allowed. Accordingly, the same is dismissed.

6. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
7. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

23rd July, 2026
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No