



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

CRM-M-6848-2025

Date of decision: 3rd July, 2025

Manish Kumar Kahnani @ Munna

... Petitioner

Versus

Union of India

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Satnam S. Gill, Advocate for the petitioner.

Mr. Harmandeep S. Sullar, Advocate for the respondent/NCB.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of regular bail under Section 483 of BNSS in case bearing No.11/2023 dated 13.05.2023 under Sections 8, 15, 25, 27A, 29, 60 and 62 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station NCB, U.T. Chandigarh.

2. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated, with the only material against him being the disclosure statements made by the co-accused, which, in the absence of any independent corroboration, are inadmissible in evidence. It has been further submitted that the petitioner is a law abiding citizen running a small retail business under the name "Pavan Karyana shop" in Muzaffarpur, Bihar, holding a valid GST registration (Annexure P-4), and that goods were supplied in the regular course of business to the son of one of the co-accused,

namely Gurbej Singh, as is evident from the ledger account maintained in his name annexed as Annexure P-5.

3. It has been additionally submitted by the learned counsel that the recovery in question (1805.25 kgs of poppy husk) was affected from a vehicle with which the petitioner has no demonstrable connection. It has also been pointed out that the petitioner has been in custody since 26.05.2023 and that the trial is unlikely to conclude shortly. Hence, the petitioner in the aforementioned facts and circumstances deserves to be enlarged on bail, more so when he has no previous criminal antecedents.

4. Per contra, learned standing counsel for the NCB has vehemently opposed the prayer and submissions made by the counsel opposite by submitting that the petitioner is not a mere bystander or an incidental figure in the case, but is, in fact, the principal supplier of the contraband in question. It has been pointed out that during investigation, following the apprehension of the co-accused from whom the alleged recovery was affected, a financial trail has been uncovered which prima facie establishes the petitioner's active involvement in that trafficking of narcotics. Specifically, it has been brought to the attention of this Court that a sum of approximately ₹1,00,00,000/- was transferred into the bank accounts of the petitioner and his close family members by the son of co-accused Kabal Singh. Additionally, ₹85.20 lakhs, suspected to be proceeds from drug trafficking, were recovered during a raid conducted at the residence of the petitioner.

5. The standing counsel for NCB has further informed the Court that the challan has already been presented, and charges were framed on 23.01.2024. The trial is progressing expeditiously, with 6 out of 21

prosecution witnesses already examined, and 5 more witnesses summoned for the upcoming hearing fixed on 11.08.2025. A prayer has therefore been made for dismissing the instant petition in view of the gravity of the allegations levelled against the petitioner, as well as the huge quantity of contraband recovered in the instant case.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The recovery in the present case pertains to a commercial quantity of narcotic substance – 1805.25 kgs of poppy husk – which falls well within the parameters of Section 37 of the NDPS Act, thereby imposing statutory restrictions on the grant of bail. The allegations against the petitioner are not limited to mere association with the co-accused. Instead, there exists substantive material on record pointing towards his prima facie involvement as a key supplier in the chain of illicit drug trafficking.

8. The financial transactions traced to the petitioner and his family members, particularly ₹1,00,00,000/- deposited by the son of the co-accused, coupled with the seizure of ₹85.20 lakhs from the residence of the petitioner, constitute grave and incriminating circumstances that go well beyond the scope of speculative or coincidental links.

9. While the learned counsel for the petitioner has sought to justify the financial dealings as being part of a legitimate business, the magnitude, nature, and manner of the transactions, as revealed during investigation, render such a claim untenable at this stage.

10. The mere passage of time in custody or the partial progress of the trial cannot, in the facts of this case, dilute the seriousness of the

allegations or outweigh the compelling material indicating the complicity of the petitioner in a well organized narcotics distribution network.

11. In view of the above and considering the serious nature of the allegations, and the ongoing trial which is proceeding at a satisfactory pace, this Court does not deem it fit to extend the concession of bail to the petitioner. The petition stands dismiss. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 3, 2025
rps

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