

2025:PHHC:102269



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

CRM-M-20239-2025

Date of Decision: 07.08.2025

Ranveer Singh @ Ranbir Singh

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Akash Khurana, Advocate and
Mr. Amit Verma, Advocate and
Mr. Abhishek, Advocate, for the petitioner.
Ms. Simran Gorla, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.93 dated 20.06.2022 under Sections 22(b)/22(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Nathana, District Bathinda (Annexure P-1).

2. Succinctly the facts of the case are that the police party while on patrolling on 20.06.2022, saw one person coming on foot with a transparent polythene envelope in his hand. On suspicion, he was stopped and on asking, he disclosed his name as Ranbir Singh S/o Sukhdev Singh (petitioner). He was suspected to be carrying some contraband in the polythene envelope and thus, the search was conducted and on conducting the search of the polythene envelope, 810 tablets of Tramadol containing 372.194 grams Tramadol Hydrochloride (each tablet having average weight of 459.50 mg) were recovered. He failed to produce any licence regarding the conscious possession

of the contraband and thus, FIR was registered and the petitioner was arrested on the spot. Investigation commenced and samples were taken and sent to the FSL and the challan was presented. On framing of charges, the trial commenced. The petitioner approached the Ld. Judge, Special Court, Bathinda for grant of bail, however, after hearing both the sides, the same was declined by the Judge, Special Court, Bathinda vide order dated 24.02.2025. Aggrieved by the same, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Sarabjit Kaur. He has drawn the attention of this Court to the order dated 05.02.2025 passed in **CRM-M-28362-2024** whereby, the above mentioned co-accused has been granted regular bail by this Court. He has submitted that the case of the petitioner is at par with the said co-accused. He submits that the petitioner has no criminal antecedents. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has opposed the submissions made by the learned counsel for the petitioner. She submits that total 810 tablets of Tramadol containing 372.194 grams Tramadol Hydrochloride were recovered from the petitioner, which falls under the commercial category. However, she has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Sarabjit Kaur. She has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that total 810 tablets of Tramadol containing 372.194 grams Tramadol Hydrochloride were recovered from the petitioner. However, the co-accused, namely, Sarabjit Kaur is on bail and the case of the petitioner as stated is at par with her. As per custody certificate, the petitioner has suffered incarceration of 02 years, 04 months & 25 days as on 06.08.2025. It further reflects that the petitioner is not involved in any other case.

6. As held by the Hon'ble Supreme Court in ***Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260***, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case, Hon'ble Supreme Court expressed its views as under:-

19. *A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.*

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21 *.....it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.*

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23. *There is a further danger of the prisoner turning to crime, "as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal"*22

(also see Donald Clemmer's 'The Prison Community' published in 1940²³). Incarceration has further deleterious effects—where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials—especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.'

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

07.08.2025

Parveen Kumar

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No