

2025:PHHC:092544



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

CRM-M-23487-2025
Date of Decision: 24.07.2025

Sohan Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Viren Sibal, Advocate and
Mr. Harshit Singla, Advocate
for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present 3rd petition praying for granting regular bail in case FIR No.116 dated 04.06.2022 (Annexure P-1) under Sections 22/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Civil Lines, District Patiala.

2. Succinctly, facts of the case are that on 04.06.2022, police party (Anti Narcotic Cell), Patiala received secret information that driver Ranjit Singh @ Raju and conductor Manjit Singh @ Mintu and Sohan Singh @ Soni (petitioner) are indulged in trade of illegal drugs and have brought intoxicant tablets from Delhi in one closed container, which was impounded by ETO, Mobile Wing, Patiala and is lying parked in the office of Excise and Taxation Department, Patiala. On receipt of this information,

police party reached at the said office and on checking of the container, 100020 intoxicant tablets of Lomotil, 4800 intoxicant tablets ALPRASAFE-0.5 and 180 intoxicant tablets of NITRAVET-10 were recovered. In total 105000 intoxicant tablets were recovered, which falls under the commercial quantity. All the accused including the petitioner failed to produce any licence regarding the possession of the same and thus, the FIR was registered and they were arrested on spot. Samples taken were then sent to the FSL. On registration of the FIR, the investigation commenced. On receiving the report from the FSL, the challan was presented. On framing of charges, the trial commenced. The petitioner approached the Court of learned Judge, Special Court, Patiala praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 18.04.2023. Thereafter, the petitioner approached this Court twice by way of filing CRM-M-33418-2023 and CRM-M-20630-2024, which were dismissed as withdrawn on 02.11.2023 and 02.05.2024 respectively. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present 3rd 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, Ranjit Singh (driver of the container) and Manjit Singh (conductor of the container). He has drawn the attention of this Court to the order dated 05.02.2024 passed in CRM-M-37728-2023 and order dated 09.04.2025 passed in CRM-M-28232-2024, whereby, two prime co-accused have 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 is in custody since 05.06.2022. He submits that the petitioner is involved in other four cases out of which in three cases he is on bail and in one case he has already undergone the sentence. 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 have already been granted bail by this Court.

4. Learned State counsel 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, Ranjit Singh and Manjit Singh. He has submitted that out of total 18 prosecution witnesses, 06 witnesses have been examined and 06 witnesses have been given up. He 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 the petitioner is behind bars since 05.06.2022. Co-accused, namely, Ranjit Singh and Manjit Singh are on bail and the case of the petitioner as stated is at par with them. Out of total 18 prosecution witnesses, 06 witnesses have been examined. As per custody certificate, the petitioner has suffered incarceration of 03 years, 01 month & 14 days as on 23.07.2025. It further reflects that the petitioner is involved in four other cases out of which in three cases he is on bail and in one case he has already undergone the sentence.

6. 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. However, if the petitioner does not furnish the bail bonds within 07 days from today, then his further custody period after one week will not be counted in this case.

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

24.07.2025
parveen Kumar

(RAJESH BHARDWAJ)
JUDGE

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