



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219-1

1) CRM-M-41922-2024
Decided on : 28.07.2025

Manpreet Singh @ Sunny . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

2) CRM-M-44828-2024

Karan Devgan . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ruhani Chadha, Advocate,
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-41922-2024 & CRM-M-44828-2024, as both the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-41922-2024.
2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Manpreet Singh @ Sunny (petitioner in CRM-M-41922-2024)	63	03.08.2023	21(C)/61/85 of NDPS Act, 1985 (S. 27-A of NDPS Act added later on)	Sarai Amant Khan	Tarn Taran
Karan Devgan (petitioner in CRM-M-44828-2024)					

3. Learned counsel for the petitioners submits as under:
- (i) That the present case is the first FIR registered against the petitioners on 03.08.2023 under the NDPS Act, in which the petitioners were arrested. Subsequently, they have been implicated in three other cases under the NDPS Act by the prosecution solely on the basis of the disclosure statements of the main accused in those respective cases.
- (ii) That the details of the other three cases, in which the petitioners have been involved after their arrest in the present case, are as under:

<i>Sr. No.</i>	<i>FIR No./Date</i>	<i>Under Sections</i>	<i>Police Station/Distt.</i>
1.	<i>FIR No.45, Dated : 08.03.2024</i>	<i>21-C/29/61/85 of NDPS Act</i>	<i>Chherretta/Amritsar</i>
2.	<i>FIR No.60 Dated : 02.04.2025</i>	<i>21-B/61/85 of NDPS Act (S. 29/21-C of NDPS Act added later on)</i>	<i>Chherretta/Amritsar</i>
3.	<i>FIR No.49/2023 Dated: N/A</i>	<i>61/85 of NDPS Act</i>	<i>Chherretta/Amritsar</i>

- (iii) That, as per the allegations, Manpreet Singh @ Sunny (petitioner in CRM-M-41922-2024) was sitting on the front passenger seat, while Karan Devgan (petitioner in CRM-M-44828-2024) was driving the vehicle bearing registration number PB46-AD-6795.
- (iv) That after completion of investigation, the challan was presented on 25.01.2025, and charges were framed on 08.01.2025. Since then, only one witness has been examined out of the total twelve prosecution witnesses.
- (v) That although the recovery in the present case is of commercial quantity—i.e., 1.00 kg of heroin along with ₹20,000/- alleged drug money—the said allegations are yet to be proved. The

prosecution does not appear keen to lead evidence, as even bailable warrants have been issued against official witnesses, who have failed to appear before the trial Court.

(vi) That in all three other cases subsequently registered, the petitioners have already been granted either anticipatory or regular bail.

(vii) That the petitioners are about to complete two years in custody within 4–5 days. Hence, without any fault attributable to them, they ought not to be further detained in jail, particularly at the cost of their fundamental right to personal liberty.

Accordingly, learned counsel for the petitioners prays for grant of regular bail.

4. On the other hand, learned State counsel has produced the custody certificate dated 27.07.2025, which is taken on record, subject to all just exceptions. The Office is directed to tag the same at an appropriate place.

A copy thereof has also been supplied to learned counsel for the petitioners.

5. Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioners are involved in three other cases under the NDPS Act, and one case under the Arms Act, allegedly prior to the present case.

However, learned State counsel is unable to controvert the submissions made by counsel for the petitioners that the petitioners have been implicated in all three NDPS Act cases, after their arrest in the present case, and that too solely on the basis of disclosure statements recorded during the period they were already in custody.

Learned State counsel also concedes that out of twelve

prosecution witnesses, only one has been examined till date.

6. Having considered the rival submissions of learned counsel for the parties and upon perusal of the custody certificate produced today, I am of the view that there is no justifiable reason to continue the detention of the petitioners, particularly when the trial is yet to conclude despite sufficient opportunities having been granted to the prosecution to lead evidence.

7. Consequently, prayer made in the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. **Petitions stand disposed of.**

(SANJAY VASHISTH)
JUDGE

July 28, 2025
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No