



CRM-M-46912-2025

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

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CRM-M-46912-2025

Date of decision: 12th November, 2025

Maan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gourave Bhayyia Gilhotra, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been 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. 132 dated 22.05.2025 registered under Sections 21(c) of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short '*NDPS Act*') at Police Station Sector 79 SAS Nagar, District Mohali.

2. As per the allegations, on 22.05.2025, a police party headed by SI Sanjeev Kumar was performing patrolling duty near grain market near Sahoke, when one Ertiga car bearing registration No. HR-55-AE-9479 was found standing near the sheds of grain market. On suspicion, the police party reached at the spot, four persons were found sitting in the vehicle and were searching a polythene bag. On finding the police officials to be present, they were perplexed. They were apprehended. On asking, they disclosed their



names and particulars, one of whom was the present petitioner. On checking the polythene bag, 300 grams of heroin was recovered from the same, which was taken into possession. The petitioner and co-accused were formally arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is a driver and plied the aforementioned vehicle as a cab and used to take passengers from taxi stand, Mandi, Dabwali. On 21.05.2025, his vehicle was hired by the co-accused for the purpose of going to Sri Muktsar Sahib. He had no knowledge about the belongings of the co-accused. He has clean antecedents. He is in custody since long. The trial will take considerable time to conclude. No useful purpose would be served by keeping him in custody. It is, therefore, urged that he deserves to be released on bail.

4. *Per contra*, it is argued by learned State counsel that allegations against the petitioner are serious in nature as he along with co-accused was found in conscious possession of the commercial quantity of contraband without having any permit or licence for the same. The rigors of Section 37 of the NDPS Act are attracted in this case. There is no material on record to infer that the petitioner is not guilty of the subject offence. The trial is going on at a proper pace. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner along with the co-accused was found in the conscious possession of commercial quantity of contraband. He has claimed



to be a taxi driver and the plea that has been taken by him that his vehicle was hired by the co-accused and contraband was in their conscious possession without knowledge of the petitioner has to be proved only on the basis of thorough assessment of the evidence to be produced during trial and not at this stage. *Prima facie*, the complicity of the petitioner in the crime stands established. The well settled proposition of law is that while deciding a bail petition, the nature of accusations, severity of punishment, if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. Frivolity of prosecution should always be considered. In view of the foregoing legal principles and having regard to the petitioner's role in the incident, the nature of recovery effected from him and the attendant facts and circumstances coupled with the fact that the rigors of Section 37 are attracted in this case, this Court finds no compelling ground to grant bail to the petitioner. Accordingly, the petition is dismissed.

8. It is clarified that any observation made in this order is only for deciding this petition and shall not influence the outcome of the trial and also not be taken as an expression of opinion on merits.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

12th November, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*