



CRM-M-52796-2024

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

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Decided on:05.08.2025

Manjinder Singh**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Amit Kumar, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. Present second petition has been filed under Section 439 Cr.P.C., seeking regular bail in case FIR No.96 dated 06.04.2023, under Sections 21, 25 and 29 of NDPS Act, registered at Police Station STF Mohali.

2. As per the case of the prosecution, based on secret information, petitioner was intercepted; however, nothing was recovered from his possession. Subsequently, a disclosure statement of the petitioner-Manjinder Singh was recorded, on the basis of which 200 grams of heroin was recovered from his house. In his disclosure statement, petitioner also named another accused/co-accused-Prabhjot Singh @ Kapil, stating that the recovered contraband had, in fact, been delivered to him by the said co-accused.

When Prabhjot Singh was apprehended, no contraband was recovered from his possession. However, based on his disclosure statement, 500 grams of heroin was recovered from the house of his



maternal grandmother. Thereafter, co-accused-Prabhjot Singh also named another accused, namely Tinku Singh @ Rinku.

3. Learned counsel for the petitioner submits that the quantity of contraband allegedly recovered from the petitioner is non-commercial in nature. He further submits that the petitioner is in custody since 06.04.2023 and that charges were framed on 06.12.2023. Out of a total of 19 prosecution witnesses, only two have been examined till date. It is, therefore, submitted that the trial is likely to take considerable time, and on these grounds, prayer is made for the grant of regular bail.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner, acknowledging that he is in custody since 06.04.2023. It is further submitted that, the petitioner is involved in three other cases, the details of which are as follows:

i) FIR No. 16 dated 12.03.2019, under Sections 21/25/61/85 of the NDPS Act, registered at Police Station Ghanie Ke Bangar – petitioner has already undergone sentence.

ii) FIR No. 79 dated 20.09.2012, under Sections 326, 325, 148, 149 IPC, registered at Police Station Ghanie Ke Bangar – petitioner stands acquitted.

iii) FIR No. 44 dated 19.06.2019, under Sections 21/22/61/85 of the NDPS Act, registered at Police Station Fatehgarh Churrian – case is stated to be pending.

5. Having heard learned counsel for the respective parties and upon perusal of the material available on record, this Court finds that

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petitioner is in custody since 06.04.2023. It is further noticed that out of a total of 19 prosecution witnesses, only two have been examined till date. In view of the slow pace of the trial and considering that prolonged pre-trial incarceration would amount to curtailing the petitioner's liberty for an indefinite period, this Court is of the opinion that a case for grant of regular bail is made out. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

7. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 05, 2025
rashmi

Whether Speaking/Reasoned: ~~YES/NO~~
Whether Reportable: ~~YES/NO~~