

2026.PHHC.045307



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-4832-2026

Varinder Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	20.03.2026
2	The date when the judgment is pronounced	23.03.2026
3	The date when the judgment is uploaded on the website	23.03.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Charanjit Singh Bahia, Advocate for the petitioner.

Mr. Durgesh Garg, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The instant one is the second petition 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. 51 dated 28.07.2024 registered under Sections 22(c) and 27 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short ‘NDPS Act’) at Police Station Phul, District Bathinda. His previous petition bearing CRM-M- No.-26984-2025 had been dismissed vide order dated 10.11.2025.

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2. The petitioner is booked for the commission of the aforementioned offence and is facing trial on the allegation that on 28.07.2024, he along with the co-accused was found in conscious possession of a commercial quantity of intoxicating tablets of Tramadol Hydrochloride. The previous petition as filed by him, has been dismissed on 10.11.2025.

3. It is argued by the learned counsel for the petitioner that after the dismissal of the previous petition, there has not been much progress in the trial, as no prosecution witness has been examined so far. He has been in custody for a long time. There are no chances of conclusion of the trial in the near future. No useful purpose would be served by detaining him in custody anymore. His prolonged incarceration amounts to a change in circumstances. It is, therefore, argued that the petition deserves to be allowed.

4. Learned State counsel has argued that the previous petition as filed by the petitioner was dismissed on 10.11.2025 and this petition has been filed within 2½ months of the dismissal of the previous petition without there being any drastic or substantive change in the circumstances and hence, it is not maintainable. It is further argued that trial is going on at a proper pace, as only 03 out of 14 prosecution witnesses remain to be examined. As such, there is not likely to be any undue delay in the conclusion of the same. The allegations against the petitioner are serious in nature. The rigours of Section 37 of the NDPS Act are attracted in this case. Therefore, it is stressed that the petition does not deserve to be allowed.

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

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6. So far as the question of maintainability of the petition being a successive petition filed just after 2½ months from the date of dismissal of previous petition is concerned, it may be mentioned that though a second/successive petition is maintainable, however, for such petition to succeed the petitioner is essentially required to show some substantial change in the circumstances. Showing of a mere superficial or ostensible change does not suffice. Some cogent and lucid reasons are required to be given by the petitioner for that purpose. In the instant case, however, the petitioner has not given any such new reason on the basis of which he can be held entitled to be released on bail. His prayer for release on bail on the basis of his medical condition has already been declined in the previous order as passed by this Court. The trial is going on at a proper pace as 11 out of 14 witnesses already stand examined. The rigors of Section 37 of the NDPS Act are attracted in this case. Taking into consideration the above-discussed facts, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

23rd March, 2026

Parveen Sharma

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

: Yes / No
: Yes / No