



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-6543 of 2026

Date of Decision: 10.02.2026

Parvinder Singh alias Parminder Singh alias Tiger

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Munish Garg, Advocate
for the petitioner(s).

Mr. Lakhan, Assistant Advocate General,
Punjab.

Surya Partap Singh, J.

1. This first petition for bail has been filed by the petitioner with regard to a case arising out of FIR No. 25 dated 10.06.2021 lodged in Police Station Mehal Kalan, District Barnala, Punjab for the commission of offence punishable under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, hereinafter being referred as “the NDPS Act” only.

2. The above mentioned FIR came into being on a report of ‘SI Gurbachan Singh’, who had reported that on 10.06.2021 when he was leading a team of police officials, on the basis of a tip-off given by a reliable source, firstly the FIR was lodged and thereafter the motorcycle was intercepted. As per prosecution case, the pillion rider of the above mentioned motorcycle, namely ‘Amritpal Singh’ tried to run away but he was over-

powered, whereas the motorcycle rider took a U-turn and managed to escape. As per prosecution on body search of 'Amritpal Singh' he was found in possession of 350 grams of 'heroin'.

3. It is the case of prosecution that on recovery of above mentioned contraband usual formalities with regard to seizure and sealing of contraband, filing of FIR and arrest of accused were undertaken and further investigation taken up. Thereafter, accused 'Amritpal Singh' was interrogated and during the course of interrogation, he suffered a disclosure statement wherein he nominated the petitioner as supplier of the contraband.

4. Heard.

5. The record has been perused carefully.

6. As far as the principles governing the benefit of bail in a case related to NDPS Act, wherein the recovery of contraband comes within the ambit of commercial quantity, are concerned, the principles of law laid down by the Hon'ble Supreme Court in the case of 'Mohd. Muslim @ Hussain v. State' (NCT of Delhi)', (2023) 18 Supreme Court Cases 166 are relevant, wherein the Hon'ble Supreme Court has held that grant of bail on account of undue delay in trial cannot be said to be fettered under Section-37 of the NDPS Act given the imperative of Section 436-A which is applicable to offences under the Act.

7. If the facts and circumstances of the present case are analyzed in the light of above-mentioned principles of law, it transpires that:-

- i) that the petitioner is already in custody for a period more than seven months;
- ii) that nothing incriminating has been recovered from the

possession of petitioner;

- iii) that the co-accused standing on same footing have already been afforded the benefit of bail;
- iv) that the main accused from whose possession the contraband was recovered, too, has been afforded the benefit of bail by this court by virtue of order dated 29.10.2024;
- v) that nothing is left to be recovered from the possession of petitioner;
- vi) that detention of petitioner in judicial lock-up is not likely to serve any purpose;
- vii) that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses; and
- viii) that there is nothing on record to show that if released on bail, the petitioner will not co-operate/participate in the trial.

8. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to the accused as mandated by Hon'ble Apex court in 'Balwinder Singh versus State of Punjab and Another' 2024 SCC Online SC 4354.

9. If the cumulative effect of all the above mentioned factors, involved in the instant case, is taken into consideration, it leads to a

conclusion that the petitioner is entitled for the benefit of bail, and that the present petition deserves to be allowed.

10. Accordingly, without commenting anything on the merits of the case, the present petition is hereby **allowed**. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However, the above said concession shall be subject to following conditions:-

- a) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority;
- b) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the conclusion of trial; and
- c) that the petitioner shall not leave India without prior permission of the trial Court.

11. It is, however, made clear that any observation made here-in-above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

(Surya Partap Singh)
Judge

February 10, 2026
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No