

2026.PHHC.043139



CRM-M-12867-2026

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

205

CRM-M-12867-2026 (O & M)

Date of decision: 19.03.2026

PARGAT SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Tajveer Singh, Advocate and
Mr. Ashish Pundir, Advocate,
for the petitioner.

Mr. Jasjit Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.75 dated 27.04.2025, under Section 18, 61, 85, 21, 27, 27-A, 29 of Narcotic Drugs and Psychotropic Substances, Section 52-A of Prisons Act, 1894, Sections 25, 54, 59 of Arms Act, registered at Police Station City 1, Sangrur, District Sangrur.

2. Learned counsel contends that the petitioner has been in custody for more than 10½ months. He alleges false implication. His name surfaced based on the disclosure statement of co-accused, Manpreet Singh. The alleged recovery from the petitioner is a mobile phone without battery and SIM Card. There is delay of 27 hours in lodging the FIR. No

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contraband has been recovered from him. Co-accused similarly circumstanced namely, Aman Kumar @ Amna against whom the allegations were of having used two smart watches and supplying the contraband and was also involved in other cases, has since been granted bail by this Court, vide order Annexure P-4. Besides him, co-accused, Banso Bai, Prasant Majumdar, Gurchet Singh and Gurpreet Singh stand released on bail. Charges have been framed on 12.12.2025, however, only 1 PW stands examined and there are still 45 more to go. The petitioner is involved in 2 more cases in 1 of which he is on bail. Reliance is placed on the judgment of Hon'ble the Supreme Court in **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. The custody certificate dated 18.03.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 10 months and 16 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner and recovery of mobile phone has been effected from him. He is, however, unable to controvert the submissions with regard to stage of the case; the co-accused having been enlarged on bail and the petitioner having been released on bail in 1 case.

5. Heard.

6. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second

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respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc.”

7. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 10 months and 16 days; on bail in 1 case; co-accused are on bail; charges stand framed on 12.12.2025, but out of 46 PWs, only 1 has been examined; the trial is likely to take a considerable time and further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.

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- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

9. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

19.03.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No