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

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CRM-M-6853-2026 (O & M)

Date of decision: 11.02.2026

MITHU SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ashish Pundir, Advocate,  
for the petitioner.

Mr. Manipal Singh Atwal, 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, registered under Sections 18, 21, 27-A, 29, 61, 85 NDPS Act, Section 52-A of Prison Act, 1894, Section 25, 54, 59 of the Arms Act, Section 7 of the Prevention of Corruption Act, and 111(2) of BNS, at Police Station City-I, Sangrur, District Sangrur.

2. Learned counsel contends that the petitioner has been in custody for about 6 months. He alleges false implication. His name surfaced based on the disclosure statement of co-accused. The allegation against him is of having connived with the main accused. No recovery has been effected from him. Similarly circumstanced co-accused, namely, Banso Bai, Prasanta Majjumdar alias Prashant Majumdar and Gurpreet

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Singh have since been granted bail by this Court, vide orders Annexures P-2, P-6 and P-7, after being in custody of 6½ and 7 months, respectively, besides Aman Kumar @ Amna and ASI Ashok Kumar. Challan was presented on 06.10.2025, but the charges are yet to be framed and there are, in all, 46 PWs. The petitioner is involved in 1 more case, but not NDPS Act, wherein his sentence has been suspended. 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. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of having connived with the main accused. However, he is unable to controvert the submissions with regard to stage, co-accused having been granted bail and sentence of the petitioner having been suspended in other case

4. Heard.

5. 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 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.”

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 5 months and 14 days; on bail in other case; co-accused are on bail; challan stands

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presented on 06.10.2025, however, charges have not been framed and there are a total of 46 prosecution witnesses; 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.

7. 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.
- (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.

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(ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. 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.

9. 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.

11.02.2026

parveen kumar

**(AMAN CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned : Yes / No  
Whether reportable : Yes / No