

2026:PHHC:058455



CRM-M-9328-2026 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(202)

CRM-M-9328-2026 (O & M)
Date of decision:18.04.2026

Narinder Singh

..... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Randhir Singh Thind, Advocate,
with Mr. Bhirgu Agnihotri, Advocate
and Mr. Jagdeep Singh, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this second petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in FIR No.119 dated 20.10.2024 under Sections 21(c), 61, 85 of the NDPS Act, 1985 registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib, Punjab.

2. The brief allegations as per the FIR are that the petitioner was allegedly apprehended with 260 grams of heroin.

3. The learned counsel for the petitioner contends that the recovery has been planted upon the petitioner. In fact, on 20.10.2024 at about 07:00 a.m. the petitioner had reached Fatehgarh Sahib to pay obeisance at Gurudwara Sahib Sri Fatehgarh Sahib in his Swift bearing registration No.PB-11-CS-3872. At that time, near Jyoti Sarup mod, a Swift car of white colour without a registration number intentionally hit the petitioner's car and 03 persons in civil dress came out of the said car. The



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petitioner tried to accelerate his car and was chased by the said persons who ultimately, struck their car into his car. After the collision, the petitioner's car struck an electricity pole. The said persons came out of the car and started beating him. They disclosed that they were officials posted with CIA staff, Sirhind and would teach him a lesson for arguing with the police. He was illegally detained at Police Station Sirhind where a demand of Rs.05 lacs was made from him failing which he would be implicated in a false case. Thereafter, he and the said persons went towards the petitioner's house to collect money where they coerced the petitioner to sign a few blank pages and typed pages implicating him in the instant false FIR. He instructed his wife to hand over Rs.02 lacs to the said persons. The petitioner also filed a complaint before the Judicial Magistrate Ist Class, Fatehgarh Sahib for registration of an FIR which is pending adjudication. The car of the petitioner bearing registration No.PB-11-CS-3872 which was in damaged condition in the ownership of the father of the petitioner was illegally impounded by the police and released to the wife of the petitioner who got the same towed after to the repair centre. Reference is made to certain photographs. He, therefore, contends that the petitioner has been falsely implicated in the instant case. As the petitioner is in custody since 20.10.2024 but only 04 of the 13 prosecution witnesses have been examined so far and the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, while referring to the status report dated 09.03.2026 which is on record, contends



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that the petitioner was found in possession of 260 grams of heroin. The allegations levelled against the police officials are completely baseless, though, a complaint in that regard is pending adjudication before the Courts at Fatehgarh Sahib. He is a serial offender with multiple other cases under the NDPS Act in some of which he has been convicted. As he is a serial offender, a satisfaction under Section 37 of the NDPS Act that he has not committed an offence and is not likely to commit one in future cannot be recorded. Therefore, he is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 20.10.2024 and only 04 out of the 13 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.
6. The petitioner is a habitual offender and the details of other cases registered against him are as under:-

Sr. No.	FIR No./Dated	Under Sections	Police Station	Status
1.	13/20.01.2020	21/29/61/85 NDPS Act	STF Mohali	Pending Trial
2.	04/2017	21/61/85 NDPS Act & 7-13(2) PC Act	STF Mohali	Pending Trial
3.	03/ 31.07.2017	21/61/85 NDPS Act & 14 Foreigners Act, 1946	STF, Phase-4, Mohali	Convicted

7. The instant is the second bail application of the petitioner, the first (CRM-M-27986-2025) having been withdrawn as recently as on 17.09.2025, no change in material circumstances have been pointed out entitling him to the concession as prayed for.



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8. In fact, when there are multiple FIRs against an accused over a significant period of time, then the twin conditions as envisaged under Section 37 of the NDPS Act that he had not committed an offence and was not likely to commit an offence cannot be satisfied in view of the judgment of the Hon'ble Supreme Court in *Union of India Versus Vigin K. Varghese, SPL (Crl.) No.7768 of 2025*. Further, the limitation to the grant of bail under Section 37 of the NDPS Act is in addition to those limitations prescribed under the Cr.P.C. or any other law in force on the grant of bail. Thus, a habitual offender is not entitled to the grant of bail even under the provisions of the Cr.P.C. keeping in view his criminal antecedents even though, his co-accused who are similarly situated may have been granted the said concession.

9. In view of the above, I find no merit in the present petition and the same stands dismissed.

10. The pending application(s), if any, shall stand disposed of accordingly.

April 18, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No