

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:089486



212

CRM-M-13587-2026 (O&M)
Date of decision:02.07.2026

Maan Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gourave Bhayya Gilhotra, Advocate and
Mr. Vishawjeet Singh, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. 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 arising out of FIR No.132, dated 22.05.2025, registered under Section 21(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act'), at Police Station Anti Narcotics Task Force, Sector-79, SAS Nagar (Mohali). His previous petition bearing CRM-M-No.46912-2025 had been dismissed by this Court vide order dated 12.11.2025 by making the following observations:

“The petitioner along with the co-accused was found in the conscious possession of commercial quantity of contraband. He is claimed to be a taxi driver and the plea that has been

taken by him that his vehicle was hired by the co-accused and contraband was in their conscious possession without knowledge of the petitioner has to be proved only on the basis of thorough assessment of the evidence to be produced during trial and not at this stage. Prima facie, the complicity of the petitioner in the crime stands established. The well settled proposition of law is that while deciding a bail petition, the nature of accusations, severity of punishment, if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. Frivolity of prosecution should always be considered. In view of the foregoing legal principles and having regard to the petitioner's role in the incident, the nature of recovery effected from him and the attendant facts and circumstances coupled with the fact that the rigors of Section 37 are attracted in this case, this Court finds no compelling ground to grant bail to the petitioner. Accordingly, the petition is dismissed."

2. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody for a period of over 01 year and 01 month. After dismissal of his previous petition, there has not been much progress in the trial as only 01 out of 21 prosecution witnesses has been examined so far. The trial will take considerable time to conclude. Each day spent by him in custody furnishes a new ground to him for seeking benefit of bail. He was only a driver of the taxi engaged by the co-accused. Recovery was effected from the conscious possession of the co-accused and not from him. His vehicle was hired by the co-accused for the purpose of going to Sri Muktsar Sahib. It is, therefore, argued that he deserves to be released on bail.

3. Status report and custody certificate have been filed. Learned State counsel has argued that the allegations against the petitioner are

serious in nature. His previous petition has been dismissed by passing a detailed order. There is no substantial change in the circumstances. 01 out of 21 prosecution witness has since been examined and 09 have been given up. The trial is going at a proper pace and there is nothing on record to show that there has been any undue delay in conclusion of the same. It is further argued that this petition being the successive one is not even maintainable and deserves to be dismissed.

4. This Court has heard the rival submissions made by learned counsel for the parties at length.

5. So far as the question of maintainability of his successive regular bail petition is concerned, the well settled proposition of law is that for the successive petition to succeed, the petitioner must show some substantial change in the circumstances. In the instant case, the petition filed by the petitioner had been dismissed by this Court on 12.11.2025 by passing a detailed order. The petitioner was found to be in possession of commercial quantity of contraband. The rigors of Section 37 of the NDPS Act are attracted against him. There is nothing on record to show that there is any undue delay in trial. Since though 01 prosecution witness has been examined but 09 prosecution witnesses have been given up. No substantial or drastic change in the circumstances have been shown in this case. Rather, it clearly appears to the Court that this petition has been filed to misuse the process of law as it has been filed within a short span of time from the dismissal of his previous petition. As such, finding no compelling ground to allow the petition, the same is dismissed.

6. 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.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

02.07.2026

harjeet

(MANISHA BATRA)
JUDGE

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