



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.320

CRM-M-14809-2026
Date of Decision: 02.04.2026

VARINDER

...Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Ritu Raj Singh, DAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. The present petition is the third petition under Section 483 of the BNSS, 2023 (corresponding to Section 439 Cr.P.C.), read with Section 528 of the BNSS (corresponding to Section 482 Cr.P.C.), for grant of interim bail for a period of eight weeks to the petitioner in case FIR No. 423 dated 15.11.2025, registered under Section 21 of the NDPS Act at Police Station City Ferozepur, District Ferozepur, on the ground of serious medical condition of the newly born daughter of the petitioner.
2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and is in custody since 15.11.2025. It is submitted that the wife of the petitioner has recently delivered a girl child who is suffering from septicemia and requires constant medical care and attention. It is further contended that there is no other male member in the family to look after the infant and the presence of the petitioner, being the father, is absolutely necessary for hospitalization and



post-treatment care. It is also submitted that earlier application for interim bail was dismissed by the learned trial Court, however, the circumstances now warrant grant of interim bail to enable the petitioner to take care of his ailing daughter.

3. On the other hand, learned State counsel has opposed the present petition and, while relying upon the reply filed, submits that the petitioner was apprehended in conscious possession of 3 kg 25 grams of heroin, which falls within the category of commercial quantity, along with drug money amounting to ₹50,000/- and a .32 bore pistol with two magazines. It is contended that the allegations against the petitioner are grave and serious in nature. It is further submitted that the petitioner is involved in other criminal cases, including cases under the Arms Act and other penal provisions, which clearly reflects his criminal antecedents and propensity to indulge in unlawful activities. Learned State counsel further submits that there is a statutory bar under Section 37 of the NDPS Act for grant of bail and the twin conditions envisaged therein are not satisfied in the present case. It is also argued that in case the petitioner is released on interim bail, there is every likelihood that he may again indulge in similar illegal activities or may misuse the concession of bail.

4. I have heard learned counsel for the parties and have gone through the record as well as the reply filed by the State. The allegations against the petitioner are of serious nature, involving recovery of commercial quantity of contraband i.e. 3 kg 25 grams of heroin, along with drug money and a firearm. The rigours of Section 37 of the NDPS Act are clearly attracted in the present case and this Court is required to satisfy itself



that there are reasonable grounds to believe that the petitioner is not guilty of the offence and that he is not likely to commit any offence while on bail. At this stage, from the material available on record, no such satisfaction can be recorded in favour of the petitioner.

5. Further, the petitioner is stated to be involved in other criminal cases, as reflected from the record, which *prima facie* indicates his criminal antecedents. The possibility of the petitioner indulging in similar activities, if released on interim bail, cannot be ruled out. The ground taken by the petitioner for grant of interim bail is the alleged medical condition of his newly born daughter. Though this Court is not insensitive to the said ground, however, the same has been duly verified by the investigating agency and appropriate arrangements appear to be in place, and in any case, the same does not outweigh the statutory embargo and the gravity of the offence alleged against the petitioner.

6. In view of the nature and gravity of the accusations, the bar contained under Section 37 of the NDPS Act, the involvement of the petitioner in other criminal cases and the overall facts and circumstances of the case, this Court does not find it to be a fit case for grant of interim bail.

7. Accordingly, the present petition is dismissed.

8. However, nothing stated herein shall be construed as an expression on the merits of the case.

9. All pending applications, if any, also stand disposed of.

(MANDEEP PANNU)
JUDGE

02.04.2026
Anu

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