

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:074517



221

CRM-M-15006-2026 (O&M)
Date of decision:12.05.2026

Pargat Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.S. Sidhu, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been preferred by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”) for grant of regular bail in case arising out of FIR No.302, dated 03.12.2025, registered under Section 21(b) of the NDPS Act, at Police Station Canal Colony Bathinda, District Bathinda.

2. As per the allegations, on 03.12.2025, the petitioner was apprehended along with co-accused Rajat Sharma, Vinay Singh and Anmol Bam on the basis of suspicion and recovery of 06 grams of heroin was effected from their conscious possession. The recovered contraband was taken into possession. The dope test of the petitioner and co-accused was got conducted and the same was found to be positive. Investigation now stands

completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. He is in custody since 03.12.2025. The FSL report has not been received so far. The trial will take considerable time to conclude. Co-accused have been extended benefit of bail by the Court of learned Sessions Judge. On parity, he too deserves to be extended the same benefit. It is, therefore, urged that the petition deserves to be allowed.

4. Per contra, learned State counsel, while relying upon the status report has vehemently argued that taking into consideration the criminal antecedents of the petitioner, who is involved in 09 criminal cases, most of which are registered under the provisions of the NDPS Act and the seriousness of the offences allegedly committed by him, he does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner along with the co-accused is alleged to have been found in conscious possession of intermediate quantity of contraband. Though, he is shown to be involved in several other cases, however, he cannot be denied concession of bail only due to that reason. Rigors of Section 37 of the NDPS Act are not attracted in this case. Obviously, the trial will take considerable time to conclude. No useful purpose would be served by detaining the petitioner in custody anymore. It is well settled proposition of law that pre-trial incarceration should not be a replica of post conviction sentencing. In view of the above discussion, this Court is of the

considered opinion that a case is made out for grant of bail to the petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal as well as surety bonds to the extent of two sureties in the like amount each, to the satisfaction of the learned trial Court/Duty Magistrate concerned, and subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence has been exempted by the trial Court. He shall surrender his passport, if any, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

7. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

12.05.2026

harjeet

**(MANISHA BATRA)
JUDGE**

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