



CRM-M-41567-2025

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

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CRM-M-41567-2025

Date of Decision: 06.02.2026

Manmeet Singh @ Lamber

..... Petitioner

Versus

State of Punjab

.....Respondent

CRM-M-45630-2025

Date of Decision: 06.02.2026

Bhupinder Singh @ Bhinda

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Rishu Mahajan, Advocate,
for the petitioner in CRM-M-41567-2025.

Mr. Vishal Nehra, Advocate, for the petitioner
in CRM-M-45630-2025.

Mr. Kuljinder Singh Dhindsa, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. By this order, the two above-mentioned petitions are disposed of, both having arisen out of the same FIR.
2. Prayer in the present petitions is for grant of regular bail to the petitioners in a case FIR No.115 dated 06.07.2024, registered under Sections 21, 22, 29 of NDPS Act, 1985, at Police Station Garhshankar, District Hoshiarpur.
2. Succinctly the facts of the case are that the police party, while on patrolling on 06.07.2024, saw a young man and a woman standing with a bullet motorcycle. On seeing the police, both tried to escape on their motorcycle. While escaping, rider of the motorcycle threw a black coloured bag on the left side of the road whereas the woman threw a purse on the right side of the road, which she was holding in her hand. The police chased



them and thereafter both of them were apprehended. Rider of the motorcycle, on asking, disclosed his name to be Ajil Kumar @ Bhiri whereas the woman disclosed her name to be Rajwinder Kaur. The bag and purse thrown by them were searched. On searching the black coloured bag thrown by Ajil Kumar, Rs.1 Lac drug money, one I phone 7, two polythene envelopes, i.e. black and white colour were recovered. From the search of white colour envelope, 210 grams of heroin was recovered and from the search of black colour envelope, 06 strips each containing 15 intoxicant tablets mark Etozolam, weighing 0.5 mg were recovered. Whereas from the search of the purse thrown by Rajwinder Kaur, 12 Buprenorphine injections were recovered. They failed to produce any licence regarding the conscious possession of the same, thus, the FIR was registered and both were arrested on the spot. On registration of the FIR, the investigation commenced. The samples taken were sent to the FSL. On receipt of FSL report, the challan was presented. During the investigation, the accused made statements that they had procured the aforesaid narcotics substance from Bhupinder Singh @ Bhinda (petitioner in CRM-M-45630-2025). Bhupinder Singh @ Bhinda was arrested on 09.07.2024 and he further made a statement that he had procured the said narcotics substance from Vishal and Manmeet Singh @ Lamber (petitioner in CRM-M-41567-2025). Thus, Manmeet Singh @ Lamber was arrested on 19.07.2024. The petitioners approached the Court of learned Judge, Special Court, Hoshiarpur praying for grant of bail, however, after hearing both the sides and finding no merit in the same, learned Court declined the petitions filed by the petitioner vide order dated 09.08.2024/02.06.2025. Being aggrieved, petitioner Manmeet Singh @



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Lamber earlier approached this Court by way of filing CRM-M- 42333-2024 and CRM-M-5620-2025 praying for the grant of bail, however the same were dismissed vide orders dated 04.09.2024 and 05.02.2025, respectively. Petitioner Manmeet Singh @ Lamber is again before this Court praying for the grant of bail by way of filing the present third petition, whereas, petitioner Bhupinder Singh @ Bhinda is before this Court by way of filing his first petition.

3. Learned counsel for the petitioners, at the outset, pray for the grant of bail to the petitioners on the basis of parity with that of the co-accused, namely, Vishal @ Bahman. They have drawn the attention of this Court to the order dated 04.02.2026 passed in **CRM-M-47654-2025**, whereby, co-accused Vishal @ Bahman has been granted regular bail by this Court. He submits that the petitioners were arrested in this case on 19.07.2024 and 09.07.2024, respectively. They submit that on the basis of the parity, the petitioners deserve to be granted bail as the case of the petitioners is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioners as stated above and has not denied that the petitioners are at par with the co-accused, namely, Vishal @ Bahman. He has placed on record the custody certificate of the petitioners. On instructions, he submits that out of total 12 prosecution witnesses, none has been examined till date.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioners are behind bars since 19.07.2024



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and 09.07.2024. Co-accused, namely, Vishal @ Bahman is on bail and the case of the petitioners as stated is at par with him. Custody certificate of petitioner Manmeet Singh @ Lamber shows that the petitioner has suffered incarceration of 01 year, 06 months and 13 days as on 04.02.2026. It further reflects that the petitioner is involved in nine other cases. Custody certificate of petitioner Bhupinder Singh @ Bhinda shows that the petitioner has suffered incarceration of 04 months & 16 days as on 04.02.2026. It further reflects that the petitioner is involved in 13 other cases.

6. As held by the Hon'ble Supreme Court in ***Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260***, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

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21it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.



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23. *There is a further danger of the prisoner turning to crime, "as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal"*²² (also see Donald Clemmer's 'The Prison Community' published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.'

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail to the petitioners on the basis of parity. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioners do not furnish bail/surety bonds within a period of one week from today, their custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

06.02.2026

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Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No