

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:001768



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CRM-M-42564-2025 (O&M)

Date of decision:12.01.2026

Ranjit Singh @ Kala

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aashish Bhagat, Advocate and
Mr. Tarun Gautam, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been 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.111, dated 08.11.2024, registered under Sections 22 and 29 of the NDPS Act and Section 111 of the BNS, at Police Station Banur.

2. As per the allegations, on 08.11.2024, accused Dharvinder Singh and Sandeep Singh were apprehended when they were going on a motorbike and recovery of 700 tablets of Tramadol had been effected from their conscious possession, which was taken into possession by the police. The above named accused were formally arrested. On interrogation, co-accused Sandeep Singh suffered disclosure statement to the effect that the

recovered contraband was supplied to him by the present petitioner. Petitioner was nominated as an accused and was arrested on 10.01.2025. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused, which cannot be considered to be admissible in evidence. He is in custody since 10.01.2025. Trial will take considerable time to conclude. He is on bail in other cases as registered against him. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. Previous petition as filed by him, has been dismissed as withdrawn. Each day spent by him in custody has extended a new cause of action to seek concession of bail. Rigors of Section 37 of the NDPS Act are not attracted qua him. It is, therefore, urged that he deserves to be released on bail.

4. Per contra, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner and his criminal antecedents, he does not deserve to be released on bail.

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

6. The petitioner is alleged to have supplied commercial quantity of contraband to the co-accused. He is in custody since 10.01.2025. Trial will take considerable time to conclude. His continued detention would not serve any useful purpose. Rigors of Section 37 of the NDPS Act are not attracted in this case. In ***Tofan Singh Vs. State of Tamil Nadu, (2021) 4 SCC 1***, it was observed by Hon'ble Apex Court that the disclosure statements made under Section 67 of NDPS Act, are inadmissible in evidence

unless corroborated by independent material. While the veracity of the disclosure statement against the petitioner will be tested during the course of trial, however, at this stage, it cannot be ignored that no recovery was ever effected from the petitioner. In view of the above discussion, this Court is of the opinion that the bar under Section 37 of the NDPS Act does not come in the way of granting bail to the petitioner. The petitioner is in custody since long. In such circumstances, the trial is likely to take long time to conclude. The object of jail is to secure the appearance of the accused during the trial and it can neither be punitive nor preventive and the deprivation of liberty has been considered as a punishment. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned and on the following conditions:-

- (i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) he shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) he shall appear before the learned trial Court as and when directed.
- (iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) the petitioner shall upon his release give

his mobile phone number to concerned IO/SHO and shall keep his mobile phone switch on all times.

8. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

9. 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.

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

(MANISHA BATRA)
JUDGE

12.01.2026

harjeet

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