

2026:PHHC:044199



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

CRM-M-54378-2025 (O&M)

Manish Kumar Kanhani @ Munna ...Petitioner

Versus

Union of India, Narcotic Contral Bureau ...Respondent

| Sr. No. | Particulars                                                                              | Details        |
|---------|------------------------------------------------------------------------------------------|----------------|
| 1       | The date when the judgment is reserved                                                   | 19.03.2026     |
| 2       | The date when the judgment is pronounced                                                 | 23.03.2026     |
| 3       | The date when the judgment is uploaded on the website                                    | 23.03.2026     |
| 4       | Whether only operative part of the judgment is pronounced or full judgment is pronounced | Full           |
| 5       | The delay, if any, of the pronouncement of full judgment, and reasons thereof            | Not applicable |

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Satnam Singh Gill, Advocate  
for the petitioner.

Mr. H. S. Sullar, Senior Public Prosecutor  
for the respondent/UOI/NCB.

MANISHA BATRA, J.

1. The instant one is the fourth petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case NCB Chandigarh Crime No. 11/2023, dated 13.05.2023, registered under Sections 8, 15, 25, 27A, 29, 60 and 62 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*).
2. A perusal of the record reveals that the first petition, filed by the

2026:PHHC:044199



petitioner, bearing **CRM-M-31382-2023**, seeking grant of regular bail, was dismissed by this Court on merits on 12.09.2023 by making the following observations:

“No doubt, the petitioner was nominated as an accused in pursuance of a disclosure statement allegedly made by co-accused, however, this Court cannot be expected to turn a blind eye to the huge recovery of 1805.25 kgs of poppy husk effected from the co-accused along with drug money of `5.20 lakh recovered from the house of the petitioner. Still further, in view of the instructions received by learned counsel for the NCB, that investigation was still underway qua the illegal wealth amassed by the petitioner on account of his involvement in the drug syndicate, this Court does not deem it fit to extend the concession of regular bail to the petitioner.”

3. Thereafter, the petitioner filed another petition bearing number **CRM-M-4844-2024** but the same was withdrawn by him on 29.08.2024. He approached the Hon’ble Supreme Court for grant of bail by filing an SLP bearing No. 17948 of 2024. However, the same was disposed of on 02.01.2025 by making the following observations:

“The observations of the High Court while permitting withdrawal of the application seeking bail would not come in the way of the petitioner making another application in accordance with law which shall be considered on its own merits. The Special Leave Petition is disposed of in the aforesaid terms.”

4. The petitioner then filed another petition, bearing number **CRM-M-6848-2025**, before this Court for grant of bail, which too was dismissed by this Court on 03.07.2025. The operative part of the order dated

2026:PHHC:044199



03.07.2025 reads as under:

“7. The recovery in the present case pertains to a commercial quantity of narcotic substance – 1805.25 kgs of poppy husk – which falls well within the parameters of Section 37 of the NDPS Act, thereby imposing statutory restrictions on the grant of bail. The allegations against the petitioner are not limited to mere association with the co-accused. Instead, there exists substantive material on record pointing towards his prima facie involvement as a key supplier in the chain of illicit drug trafficking.

8. The financial transactions traced to the petitioner and his family members, particularly ₹1,00,00,000/- deposited by the son of the co-accused, coupled with the seizure of ₹85.20 lakhs from the residence of the petitioner, constitute grave and incriminating circumstances that go well beyond the scope of speculative or coincidental links.

9. While the learned counsel for the petitioner has sought to justify the financial dealings as being part of a legitimate business, the magnitude, nature, and manner of the transactions, as revealed during investigation, render such a claim untenable at this stage.

10. The mere passage of time in custody or the partial progress of the trial cannot, in the facts of this case, dilute the seriousness of the allegations or outweigh the compelling material indicating the complicity of the petitioner in a well organized narcotics distribution network.

11. In view of the above and considering the serious nature of the allegations, and the ongoing trial which is proceeding at a satisfactory pace, this Court does not deem it fit to extend the concession of bail to the petitioner. The petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of

2026:PHHC:044199



opinion on the merits of the case.”

5. The petitioner has again approached this Court by way of filing the present petition, which is in fact his fourth petition with the same prayer.

6. The only argument which has been raised by learned counsel for the petitioner for grant of regular bail to the petitioner is that extended period of incarceration has entitled the petitioner to be released on bail and therefore, it is urged by him that the petition deserves to be allowed.

7. *Per contra*, it is argued by learned counsel for the respondent-NCB that the previous two petitions filed by the petitioner were dismissed by passing detailed orders by this Court by taking into consideration the contentions raised by both sides. He has even approached Hon’ble Supreme Court but no relief was granted to him. It is submitted that no new change in the circumstances has been pointed out. The mere extended period of incarceration alone is not sufficient to grant benefit of bail to the petitioner. The trial is going on at a proper pace. Therefore, it is urged that the petition does not deserve to be allowed.

8. This Court has heard the rival submissions.

9. The previous petitions filed by the petitioner for grant of regular bail had been dismissed by this Court by passing detailed orders. It is well settled proposition of law that when successive bail applications come before the Court, the Court should be very cautious while considering the same. Successive bail applications can be entertained by the Court when some substantial change is established by the accused thereby making him entitled for grant of bail. Reference in this regard can be made to ***State of Maharashtra Vs. Captain Buddhikota Subha Rao, AIR 1989 Supreme Court, 2292***, wherein it was

2026:PHHC:044199



observed so and it was further held that the Court should not pass an order of release of an accused on bail in successive bail application merely establishing some cosmetic change between time gap of two applications. There must be some drastic change during the period between two applications. Reference can also be made to ***Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and another (2004) 7 SCC 528***, wherein it was observed by Hon'ble Supreme Court that where the offence alleged against an accused is grave, bail cannot be granted only on the ground of long incarceration.

10. After hearing the contentions as raised by learned counsel for the petitioner, this Court is of the considered opinion that no substantial or drastic change from the date of dismissal of the previous petitions as moved by the petitioner has been pointed out or made out from the pleas taken by the petitioner. Merely the extended/prolonged period of incarceration or examination of some material witnesses is not a ground to extend any such benefit. There are serious and specific allegations against the petitioner. A substantial number of witnesses stands examined. The trial is also going on at a good pace and there is nothing to show that there would be any undue delay in conclusion of the same. Keeping in view the nature and gravity of the offence, in my considered opinion, it is not a fit case to enlarge the petitioner on bail, especially in view of the fact that no drastic or material change in the circumstances has been made out. In view of the discussion as made above, but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

2026:PHHC:044199



11. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

23.03.2026

*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*