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

1. **CRM-M-56609-2025**
Manjit Singh @ GoldyPetitioner

versus

State of Punjab Respondent

2. **CRM-M-61540-2025**
RajuPetitioner

versus

State of PunjabRespondent

3. **CRM-M-12920-2026**
Mandeep Singh @ MannaPetitioner

versus

State of PunjabRespondent

Date of decision: 25.03.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. H.P. Singh, Advocate (in CRM-M-56609-2025)
Mr. Sandeep Verma, Advocate (in CRM-M-61540-2025) and
Mr. Munish Raj Chaudhary, Advocate (in CRM-M-12920-2026)
for the petitioner(s).

Mr. Raj Karan Singh, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of
abovesaid three petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of filing the
present petitions praying for grant of regular bail in case FIR No.139 dated

01.11.2023 under Sections 18, 27 and 29/61/85 of NDPS, 1985, registered at



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Police Station Sadar Patiala, District Patiala.

3. Succinctly, facts of the case are that the police party while on patrolling on 01.11.2023, saw a car coming on the bridge from Rajpura side, which was signalled to stop and the driver of the vehicle slowed down the car, however, on seeing the police, they tried to run away but the car was stopped, in which four persons were sitting. On asking, driver of the car disclosed his name to be Mandeep Singh @ Manna (petitioner in CRM-M-12920-2026), person sitting on the passenger seat, disclosed his name to be Manjit Singh @ Goldi (petitioner in CRM-M-56609-2025), person setting behind the passenger seat, disclosed his name to be Raju (Petitioner in CRM-N-61540-2025) and the person sitting behind the driver seat, disclosed his name to be Varinder Singh @ Kala. They were suspected to be carrying some contraband in the car and thus, search was conducted. On conducting the search, a black coloured bag was found lying in between the front seats from which 08 kgs of opium was recovered. They failed to produce any licence regarding possession of the same and thus, the FIR was registered and all 04 accused were arrested on spot. On the registration of the FIR, the investigation commenced. The samples taken were sent to the FSL. On receipt of FSL report, challan was presented and on framing of charges, trial commenced. Petitioners approached the Court of learned Judge, Special Court, Patiala praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merits in the applications filed by the petitioners, dismissed the same vide orders dated 05.08.2025, 05.03.2025 and 14.03.2024, respectively. Aggrieved by the



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same, petitioner-Raju earlier approached this Court twice by way of filing of CRM-M-57403-2024 and CRM-M-19992-2025, however, the same were dismissed as withdrawn on 22.11.2024 and 24.04.2025, respectively. Hence, he is before this Court by way of filing of present third petition. Petitioner-Mandeep Singh @ Manna, earlier approached this Court thrice by way of filing of CRM-M-24614-2024, CRM-M-6313-2025 and CRM-M-14573-2025, however, the same were dismissed as not pressed/withdrawn on 21.05.2024, 27.02.2025 and 21.03.2025, respectively. Hence, he is before this Court praying for grant of regular bail by way of filing the present fourth petition. However, *qua* petitioner-Manjit Singh @ Goldy, present one is the first petition, praying for grant of bail.

4. Learned counsels for the petitioners, at the outset, prays for the grant of bail on the basis of parity with that of the co-accused. They have drawn the attention of this Court to the order dated 05.02.2026 passed by this Court in **CRM-M-43534-2025**, whereby co-accused of the petitioners, namely, Varinder Singh @ Kala has been granted the concession of bail. It is submitted that cases of the petitioners are at par with that of the co-accused, who has been granted bail by this Court. It is thus, submitted that on the basis of the parity, petitioners deserve to be granted bail as case of the petitioners are similar to that of the co-accused, who has already been granted bail.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsels for the petitioners. He submits that the contraband recovered in the present case is a commercial quantity and thus, provisions of Section 37 of NDPS Act are attracted. However, he has



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endorsed the fact that cases of the petitioners are at par with co-accused, namely, Varinder Singh @ Kala, who has already been granted bail by this Court. He has placed on record the custody certificates of the petitioners.

6. This Court has heard learned counsel for the parties and perused the record. The petitioners are behind bars since the date of their arrest. The alleged recovery in the present case is of commercial quantity. As per the custody certificates, the petitioners have suffered an incarceration of more than 02 years. It further reflects that petitioner-Manjit Singh @ Goly is involved in two more cases, however, he has already undergone the sentence in one case. However, petitioners, Raju and Mandeep Singh @ Manna, have no criminal antecedents. Needless to say that every accused has the fundamental right of speedy trial.

7. 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



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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.'

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. The Hon'ble Supreme Court in **Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695** has held as under:

"Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be



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unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

10. The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in ‘**Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**’, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

11. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsels for the petitioners succeed in making out a case for grant of regular bail to the petitioners on the basis of parity.

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

13. In case the bail bonds are not furnished by petitioner-Manjit Singh @ Goldy during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

(RAJESH BHARDWAJ)
JUDGE

25.03.2026
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No