

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

2026.PHHC:024454



215

CRM-M-66976-2025 (O&M)
Date of decision: 17.02.2026
Date of uploading: 17.02.2026

Sandeep Singh @ Mandeep Singh

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case bearing FIR No.89 dated 05.06.2014 registered for offences punishable under Section 22 of the NDPS Act, 1985, at Police Station Sarhali, District Tarn Taran.
2. The gravamen of the FIR in question is that the petitioner is an accused of being involved in an FIR pertaining to NDPS Act involving alleged recovery of 225 grams of Heroin from his possession.
3. Learned counsel for the petitioner has submitted that the petitioner was initially arrested on 05.06.2014 whereinafter he was extended the concession of regular bail by the concerned Court on

19.09.2014. The petitioner continued to appear before the concerned trial Court till June, 2016 whereinafter he could not appear due to miscommunication between him and his counsel appearing before the trial court. Learned counsel appearing for the petitioner has further argued that the petitioner came to be re-arrested on 03.11.2021 and is in continuous custody since then. He has further contended that the recovery attributed to the petitioner is 225 grams of heroin. Thus, regular bail is prayed for.

4. Learned State counsel has vehemently opposed the present petition by arguing that the allegations raised are serious in nature and, hence, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 16.02.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. It is not in dispute that the petitioner came to be arrested on 05.06.2014 whereinafter he was granted the concession of regular bail by the concerned Court on 19.09.2014. Though the petitioner is stated to be absconded from June, 2014 till November, 2021, the petitioner has suffered total incarceration for a period of more than 4 years. In the considered opinion of this Court no useful purpose would be served by further detention of the petitioner. The rival contentions raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner

absconding from the process of justice or interfering with the prosecution evidence.

As per the custody certificate dated 16.02.2026 filed by the learned State counsel, the petitioner has suffered incarceration for 4 years, 6 months & 30 days and is shown to be involved in one more case/FIR. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.

- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.
- (viii) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that she has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after her being enlarged on bail in the present FIR, on the basis of her affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of her bail which plea, but of course, shall be ratiocinated upon merits thereof.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

February 17, 2026
Naveen

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