

2026:PHHC:022379



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.68120 of 2025

Manjit Singh @ Mani ... Petitioner

Versus

State of Punjab ... Respondent

1.	The date when the judgment is reserved	11.02.2026
2.	The date when the judgment is pronounced	13.02.2026
3.	The date when the judgment is uploaded on the website	13.02.2026
4.	Whether only operative part of the judgment is pronounced or whether the 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. Prateek Pandit, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under



Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
105	07.08.2024	Kot Ise Khan, District Moga	15, 25 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’)

2. As per the allegations, on 07.08.2024, a secret information was received to the effect that the accused Pippal Singh (who was undergoing sentence in jail in connection with a case registered under the provisions of NDPS Act), his son Inderjit Singh @ Labha, one Joga Singh, brother Sarabjit Singh @ Sabi and the petitioner was engaged in the business of sale/purchase of poppy husk on large scale. It was informed that the petitioner and Sarabjit used to do recce and supply the contraband in different villages. On that very day also, they had parked their vehicle on Dargahi road for the purpose of supplying poppy husk at some villages and could be apprehended. Believing the secret information to be true, a raiding party was formed which reached at the informed place and found one youth to be present along with one pickup vehicle. On seeing the police officials, he managed to flee from the spot. On checking the vehicle, 30 bags of poppy husk were found kept in the vehicle each of which was measuring 20 kg. The accused Pippal Singh was arrested on 31.08.2024. He suffered disclosure statement admitting his involvement in the crime and also that through the present petitioner and co-accused Sarabjit Singh, they used to further supply poppy husk to other persons.

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3. As per the further allegations, the petitioner and accused Joga Singh were lodged in custody in some other case. Production warrants were issued for securing their presence. They were joined into investigation of this case on 02.09.2024. They suffered disclosure statements. The petitioner in his disclosure statement admitted that at the relevant time, he was driving a Swift car belonging to Gurwinder Singh @ Gindu as a pilot to the pickup vehicle from which recovery was effected and had fled on seeing the police officials after leaving pickup vehicle and bags of poppy husk on the day of occurrence. Investigation now stands completed.

4. 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 the co-accused which cannot be considered to be admissible in evidence. No recovery has been effected from him. The vehicle from which recovery was effected does not belong to him. He was neither spotted nor apprehended at the place of occurrence. The similarly situated co-accused Jugraj Singh has been extended benefit of bail. On parity, he too deserves to be given the same benefit. His further incarceration would not serve any useful purpose. It is, therefore, argued that the petition deserves to be allowed.

5. Status report has been filed. Learned Assistant Advocate General, Punjab has vehemently argued that the allegations against the petitioner are serious in nature. Commercial quantity of contraband had been recovered in the case. The complicity of the petitioner in the subject crime stands prima facie established. The rigors of Section 37 of NDPS Act are

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attracted in this case. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have been a member of the gang constituted by co-accused Pippal Singh and by being so, he is alleged to have involved in transporting commercial quantity of poppy husk on the relevant day. As per the allegations, he was doing recce by being present in a pilot car which was moving ahead of the pickup vehicle from where the recovery was allegedly effected. At this stage, there is no material on record either in the form of call detail record or otherwise to show the factum of presence of the petitioner at the place of occurrence at the relevant time. He is in custody since 02.09.2024. Similarly situated co-accused Jugraj @ Joga has been extended benefit of bail. On parity, he too deserves to be extended the same benefit. His involvement in other cases cannot be considered to be a sole reason for denying benefit of bail to him. Due to the fact that no recovery has been effected at his instance, it is a debatable question as to whether the ingredients under Section 37 of NDPS Act are attracted in the case or not? Taking into consideration the above discussed facts, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty

Magistrate concerned



8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

13.02.2026
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(MANISHA BATRA)
JUDGE

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