

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

**CRM-M-4273-2025 (O&M)
Date of decision: 24.04.2025**

Parminder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Tushar Gautam, Advocate for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana
for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS') for grant of bail pending trial to the petitioner in FIR No.185 dated 26.07.2024, under Sections 15, 27-A & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* 'NDPS'), registered at Police Station Ambala Sadar, District Ambala.

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(2) Status report by way of an affidavit dated 23.04.2025 of Sh. Virender, Deputy Superintendent of Police (Crime), Ambala, along with Annexures R-1 to R-3, on behalf of the respondent has been filed and which is taken on record. Copy thereof supplied to the opposite side. Registry to tag the affidavit at appropriate place.

(3) Allegations are that co-accused Avtar Singh was found in possession of 2 quintal, 30 Kg. & 750 grams of *Poppy Husk* without any license and petitioner has been nominated on the basis of disclosure, made by aforesaid co-accused.

(4) Contends that there is no recovery alleged against the petitioner; nor he was named in the FIR; rather nominated on the basis of disclosure made by co-accused Avtar Singh. Further contends that petitioner was arrested in the present case on 04.08.2024 and after remaining in custody for seven months, was granted interim bail by this Court on 17.03.2025. Again contends that in pursuance of the aforesaid order, petitioner is regularly appearing before learned Special Court and he never misused the interim concession; nor there is allegation that he is likely to hamper the proceedings in any manner. Also contends that after investigation, report under Section 173 Cr.P.C. has already been presented before the Court of competent jurisdiction; but charges are yet to be considered; thus, trial will take sufficient long time. Lastly contends that there is no other criminal case pending against the petitioner.



(5) *Per contra*, learned State Counsel, on instructions from quarter concerned, has fairly acknowledged the above factual position and submits that petitioner is regularly appearing before learned Special Court. Also acknowledged that petitioner has not misused the interim concession granted by this Court on 17.03.2025 and after investigation, report under Section 173 Cr.P.C. has already been presented before the Court of competent jurisdiction, but charges are yet to be considered.

(6) Heard learned Counsel for the parties and perused the paper-book.

(7) This Court, on 17.03.2025, granted interim bail to the petitioner in following manner:-

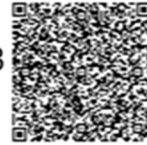
“Contends that there is no recovery of alleged contraband effected from the petitioner; rather he has been nominated merely on the basis of disclosure of co-accused Avtar Singh. Also contends that another co-accused Tehal Singh has already been granted interim protection by this Court vide order dated 07.02.2025.

Custody Certificate dated 16.03.2025 of the petitioner has been produced and which is taken on record. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.

Learned State Counsel seeks time to have instructions in the matter.

Posted for 25.03.2025.

In the meanwhile, petitioner be released on interim bail, in the present case, till the next date of hearing, on furnishing



adequate bail and surety bonds to the satisfaction of learned Special Court/CJM/Duty Magistrate.

To be heard along with CRM-M-63478-2024.”

(8) It is not in dispute that petitioner remained in custody for about seven months and after completion of investigation, report under Section 173 Cr.P.C. has already been presented; thus, conclusion of trial is likely to take sufficient long time. Concededly, there is no recovery alleged against the petitioner; nor he was named in the FIR; rather nominated on the basis of disclosure made by co-accused Avtar Singh from whom alleged contraband had been recovered.

(9) Learned State Counsel has duly acknowledged that petitioner is regularly appearing before learned Special Court and there is no allegation that in case interim bail is made absolute, he is likely to misuse the concession or hamper the proceedings in any manner. As a result thereof, sending the petitioner to custody at this stage would not serve any purpose.

(10) Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 17.03.2025, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(11) Petitioner shall appear on each & every date of hearing and to fully co-operate with learned Special Court without seeking any unnecessary adjournment(s).

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(12) The above observations be not construed as an expression of opinion on the merits of the case.

(13) It is clarified that in case there is any misuse of concession of bail on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

(14) Disposed off accordingly.

Pending application(s), if any, shall also stand disposed off.

24th April, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>