

2025:PHHC:038452



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

229

**CRM-M-5205-2025 (O&M)
Date of decision: 20.03.2025**

Nachhattar Singh @ Angrej Singh**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of regular bail to the petitioner in FIR No. 531 dated 04.10.2024, registered under Sections 15, 18, 15-C and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Sadar Thanesar, District Kurukshetra.
2. Brief facts of the case relevant for the disposal of the present petition are that on 04.10.2024, on the basis of a secret information, co-accused Amarjit Singh and co-accused Raghbir Singh, who were driver and cleaner respectively at truck bearing registration number PB-11-BY-4028 and were sitting in the said vehicle, were apprehended by a police party headed by SI Sudhir Kumar and recovery of 56 kgs. of poppy husk and 440 grams of opium was effected from them. They were formally arrested at the spot. During the course of investigation, it was found that the petitioner had exchanged several calls with co-accused Amarjit Singh and had also paid him an amount of Rs. 20,000/-for procuring contraband. On the basis of the same, the petitioner

2025:PHHC:038452



was nominated as an accused in this case and was arrested on 06.10.2024. After completion of necessary investigation and usual formalities, *challan* was presented before the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offences. He had moved an application before the learned trial Court for grant of regular bail but the same had been dismissed, vide order dated 20.11.2024.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He is neither owner of the said truck nor any recovery has been effected from him. There is nothing on record to connect the petitioner with the subject crime. The story put forth by the police party is concocted one. The petitioner and co-accused Amarjit Singh are the residents of the same village and due to this reason; they used to talk on phone occasionally. Even otherwise, investigation has since been completed and *challan* has been filed. Trial is likely to take time. The petitioner is in custody since 06.10.2024. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. It is submitted therein and learned State counsel has argued that the petitioner is not entitled to get benefit of bail as commercial quantity of the contraband has been recovered in this case from the co-accused. The petitioner was in constant touch over phone with co-accused Amarjit Singh and had paid him an amount of Rs. 20,000/- for procuring the contraband. Trial is going at a proper pace. It is also argued that if the petitioner is released on bail, he may abscond or indulge in the similar offences. It is, thus, argued that the petition is liable to be dismissed.

2025:PHHC:038452



5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. As per the allegations, the petitioner was apprehended by the police party on 06.10.2024 on the allegations that he was involved in commission of the subject crime along with co-accused Amarjit Singh, who along with co-accused Raghbir Singh, was apprehended at the spot on 04.10.2024 and from whom, recovery of 56 kgs. of poppy husk and 440 grams of opium was effected from them. The allegations against the petitioner are that he was in constant touch with co-accused Amarjit Singh over phone and had also paid an amount of Rs. 20,000/- to him for the purpose of procuring contraband. The allegations against him are quite serious. The trial is going on and there is nothing on record to suggest that there would be any undue delay in conclusion of the same. The apprehension expressed by learned State counsel that the petitioner, if extended benefit of bail, may abscond or indulge in similar offences can also not be stated to be unfounded. Keeping in view the discussion as made above, the quantity of recovered contraband, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail, at this stage. Hence, the petition is dismissed.

7. 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.

20.03.2025

Waseem Zuhairi

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No