

2025:PHHC:125506



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6291 of 2025
Date of Decision: 12.09.2025
Reserved on: 28.08.2025

Bhanwar Lal @ Bhanwar Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Satbir Singh Gill, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
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
288	23.07.2024	City Mandi Dabwali, District Sirsa	15 (c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’)

2. As per the allegations, on 23.07.2024, a secret information was received that the co-accused Satish Kumar, Gauri Shankar, Navpreet Singh, Narender Kumar and Dinesh Kumar were travelling in a Verna car bearing registration No.HR-24R-4292 and another car of I-20 make

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bearing registration No.DL-8CT-0615 was following that car. It was informed that the persons named in these vehicles were carrying huge quantity of poppy husk and were to go to Punjab from the jurisdiction of Police Station City Dabwali. Believing the secret information to be true, a barricade was immediately laid after sending information to the police station to register FIR. Sometime thereafter, the above mentioned Verna car was found coming from Chautala road side. Signal was given to stop the vehicle. The co-accused Satish Kumar, Navpreet Singh and Narender Kumar were found sitting in the same. The accused Narender Kumar tried to escape but was overpowered by the police official. In the meanwhile, the above named I-20 make car was also seen coming. The driver thereof tried to avert the police party by turning the car but the ignition of the vehicle went off. The occupants of the car were overpowered and they disclosed their names as Gauri Shankar and Dinesh Kumar.

3. After completion of usual formalities, firstly personal search of all the apprehended persons was conducted and thereafter the vehicles were checked. Bags containing poppy husk were found kept in the I-20 vehicle which was occupied by co-accused Dinesh Kumar and Gauri Shankar. On weighing, it was found to be of 80 kg. The same was taken into custody. The above named accused suffered disclosure statements that the recovered contraband was jointly purchased by them from the present petitioner. In view of their disclosure statements, the present petitioner was nominated as an accused. He was arrested on 25.07.2024. He joined investigation and on interrogation, he suffered disclosure statement admitting his involvement in

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the crime and demarcated the place where he had sold the recovered contraband to the accused Gauri Shankar and Dinesh Kumar for a sum of Rs.2,08,000/-. He also demarcated the place from where he had bought the recovered contraband from one unknown truck driver. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was neither named in the FIR nor any recovery has been effected from him. He has been involved in this case only on the basis of disclosure statements of the co-accused which cannot be considered to be admissible in evidence. He has clean antecedents. He remained in custody from 25.07.2024 to 24.03.2025 and has been extended benefit of interim regular bail. He has not misused the concession of bail so granted to him. No useful purpose would be served by sending him back to custody. It is, therefore, urged that he deserves to be released on regular bail.

5. Per contra, it is argued by learned Deputy Advocate General, Haryana that the allegations against the petitioner are serious in nature as he had sold contraband of commercial quantity to the co-accused and the same has been recovered from them. It is, therefore, urged that he does not deserve to be extended benefit of regular bail.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have sold 80 kgs. of poppy husk to the co-accused. No contraband had, however, been recovered from him. He remained in custody for a period of eight months before he was released on

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interim bail. There is nothing on record to show that he had misused the concession of the same. The rigors of Section 37 of NDPS Act are not attracted against him. The petitioner has clean antecedents. In view of the above discussed facts and circumstances, this Court is of the considered opinion that a case for grant of regular bail is made out in favour of the petitioner. Accordingly, the petition is allowed and the order dated 11.03.2025 granting interim bail to the petitioner is hereby confirmed.

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

12.09.2025
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(MANISHA BATRA)
JUDGE

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