



CRM-M-8442-2025

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

**CRM-M-8442-2025**

Decided on : 28.04.2025

Rajpreet Singh @ Raju

..... Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Rahul Rampal, Advocate, for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

**Rajesh Bhardwaj, J.**

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.120, dated 24.07.2024, registered under Sections 15(c) of NDPS Act, 1985 (Sections 27, 29, 61, 85 of NDPS Act added lateron), at Police Station Lambi, District Sri Muktsar.

2. Succinctly, facts of the case are that on 24.07.2024, the police party while on patrolling received a secret information to the effect that Gurbachan Singh was involved in selling poppyhusk and stored a large quantity of poppyhusk in his house and in case of raid, significant quantity of poppyhusk could be recovered. On receiving the secret information, raiding team was constituted and raid was conducted. Three quintals of poppyhusk was recovered and Gurbachan Singh was arrested. During the investigation, disclosure statement of Gurbachan Singh was recorded, wherein, he disclosed that he purchased the said contraband from Rajpreet Singh @ Raju (petitioner). Hence, the petitioner was arrayed as an accused in the present FIR and he was arrested on 26.07.2024. The petitioner approached the Court of learned Additional Sessions Judge, Sri Muktsar



Sahib praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 23.01.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that there is no evidence collected by the prosecution against the petitioner. It is submitted that neither the petitioner was named in the secret information, nor any recovery was effected from him. He submits that the petitioner was arrayed as an accused in the present case on the basis of disclosure statement of the co-accused. He submits that recovery of 03 quintals of popphusk was effected from co-accused Gurbachan Singh. He submits that the recovery has been effected on the basis of the secret information, however, there is a violation of provisions of Section 42 of the NDPS Act. He submits that there being no credible evidence having been produced by the prosecution against the petitioner, he deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He submits that heavy commercial quantity of poppyhusk was effected from co-accused Gurbachan Singh. He submits that complicity of the petitioner was also established during the investigation of the case, wherein co-accused Gurbachan Singh disclosed about his complicity. He submits that recovered contraband is a heavy commercial quantity and thus, provisions of Section 37 of the NDPS Act, are attracted. On instructions, he submits that in all there are 24 prosecution



witnesses, however, none has been examined so far.

5. After hearing learned counsel for the parties and perusing the record, it is inferred that the FIR was registered on the basis of the secret information. Though the secret information was with regard to co-accused from whom 03 quintals of poppyhusk was recovered, however, on the disclosure statement made by him, complicity of the petitioner was *prima facie* found. Quantity of the contraband recovered from the co-accused of the petitioner, is 03 quintals of poppyhusk, which is commercial one and thus, provisions of Section 37 of the NDPS Act, are attracted. Out of total 24 prosecution witnesses, none has been examined so far. Thus, it is apparent that the trial is at its initial stage and granting bail to the petitioner at this stage, would prejudice the ongoing trial. Keeping in view facts and circumstances of the case and the stage of the trial, this Court finds that the petitioner does not deserve the concession of bail at this stage. Thus, finding no merit in the present case, the same is hereby dismissed.

6. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

28.04.2025  
sharmila

Whether Speaking/Reasoned  
Whether Reportable

(RAJESH BHARDWAJ)  
JUDGE

: Yes/No  
: Yes/No