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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.8389 of 2025
Date of Decision: 12.09.2025
Reserved on: 28.08.2025

Navpreet Singh and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vikramjeet Singh, Advocate and
Mr. Manoj Kumar Sharma, Advocate,
for the petitioners.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been jointly filed by the petitioners 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 present petitioners along with the co-accused Gauri Shankar, Satish 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 petitioners and the co-accused 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 petitioners along with the co-accused Satish Kumar were found sitting in the same. The petitioner No.2-Narinder 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. After completion of usual formalities, firstly personal search of all the apprehended persons was conducted and thereafter the vehicles were checked. Bags containing 80 kgs. of poppy husk were found kept in the I-20 vehicle which was occupied by co-accused Dinesh Kumar and Gauri Shankar. The same were taken into custody. The accused were also formally arrested. Investigation now stands completed and challan has been presented.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. No contraband whatsoever has been recovered from the car allegedly occupied by them along with co-accused Satish Kumar. As per the allegations, the recovery was effected from I-20

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car which was driven by the co-accused Dinesh Kumar and occupied by the co-accused Gauri Shankar. They were neither driver nor owners of the said Verna car. The provisions of Section 50 of the NDPS Act have not been complied with. They have been extended benefit of interim bail on 21.04.2025 and have not misused the same. The trial is likely to take time. Their further incarceration would not serve any useful purpose. They are on bail in the cases registered against them. The trial will take considerable time to conclude. It is, therefore, urged that the petition deserves to be allowed.

4. Custody certificates have been filed. By refuting the contentions as raised by the petitioners' counsel, it is argued by learned Deputy Advocate General, Haryana that commercial quantity of contraband i.e. 80 kg of poppy husk was recovered from the conscious possession of the present petitioners and the co-accused. The petitioners along with the co-accused were apprehended from the spot almost at the same time. The accused Gauri Shankar was the registered owner of the vehicle which was driven by the co-accused Satish Kumar and in connivance with the co-accused Satish Kumar, he was travelling in I-20 car from which the recovery was effected. The allegations reveal active complicity of the petitioners in the subject crime. There are chances of their absconding, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioners along with the co-accused are alleged to be found in possession of 80 kgs. of Doda Post, which is of commercial

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quantity. However, recovery was allegedly effected from I-20 car which was occupied by the co-accused Dinesh Kumar and Gauri Shankar and not by the present petitioners. No contraband was recovered from the Verna car which the petitioners were found occupying at the relevant time. It is a matter of evidence which can be decided only on thorough assessment of the evidence produced on record that the petitioners were involved in carrying of the contraband which was recovered from another car make I-20 on the same day from the conscious possession of the co-accused Dinesh Kumar and Gauri Shankar or not? In view of the above discussed facts, this Court is of the opinion that the petitioners deserve to be extended benefit of regular bail. They have already been released on interim bail vide order dated 21.04.2025 passed by Coordinate Bench of this Court. As such, the petition is allowed and the order dated 21.04.2025 granting interim bail to the petitioners is hereby confirmed.

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

(MANISHA BATRA)
JUDGE

12.09.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No