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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.24641 of 2025
Date of Decision: 12.09.2025
Reserved on: 28.08.2025

Dinesh Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. H.S. Harry, Advocate for
Mr. Kuldip Singh, 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 present petitioner along with the co-accused was travelling in a Verna car bearing registration No.HR-24R-4292 and another car of I-20 make bearing registration No.DL-8CT-0615 was

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following that car. It was informed that the petitioner and the other 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-Dinesh Kumar i.e. the present petitioner thereof tried to avert the police party by turning the car but the ignition of the vehicle went off and he along with accused Gauri Shankar was apprehended. 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 the petitioner and co-accused Gauri Shankar and the same were taken in 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 petitioner that he has been falsely implicated in this case and a false recovery has been planted upon him. He was not owner of the I-20 vehicle from which recovery is alleged to have been effected. No specific role has been attributed to him.

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The FIR is nothing but outcome of a political vendetta and party faction in the village. The mandatory provisions of Sections 50 and 57 of NDPS Act were not complied by the investigating agency. There is no independent witness to the alleged recovery. The co-accused Bhanwar Lal, Navpreet Singh and Narinder Kumar have been extended benefit of interim bail. He has clean antecedents. He is in custody since 23.07.2024. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned Deputy Advocate General, Haryana that there are specific and serious allegations against the petitioner. He was apprehended on 23.07.2024 on the basis of a secret information while he was driving an I-20 car bearing No.DL-8CT-0615 along with the co-accused Gauri Shankar. Eighty kgs of poppy husk which is commercial in nature had been recovered from the vehicle. There is nothing on record to show that there would be any undue delay in conclusion of the trial. There are chances of petitioner's 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 petitioner along with the co-accused Gauri Shankar is alleged to have been found in possession of 80 kgs. of poppy husk straw which is of commercial quantity. The recovery was effected from them while he was driving the abovementioned I-20 car. The investigating agency had received a secret information qua his carrying contraband along with the co-accused. The rigors of Section 37 of NDPS Act are certainly attracted in

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this case. The allegations against him are serious and specific in nature. The trial has commenced and there is nothing to show that there would be any undue delay in conclusion of the same. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case lest the same prejudice the trial, this Court finds that no case for grant of bail to the petitioner is made out. Accordingly, the petition is dismissed.

12.09.2025
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(MANISHA BATRA)
JUDGE

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