



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

235

CRM-M-24502-2025
Decided on : 22.07.2025

Ajinder Singh . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Parminder Singh Sekhon, Advocate and
Mr. Rajdeep Singh Gill, Advocate, for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Ajinder Singh	204	23.10.2024	15 & 29 of NDPS Act, 1985	Sadar Khanna,	Police District Khanna

2. The allegation against the petitioner is that 60 kg of poppy husk was recovered from the truck allegedly being driven by him. Learned counsel for the petitioner submits that the recovered quantity is only marginally above the upper limit of non-commercial quantity. He further argues that the procedure adopted for weighing the contraband at the time of recovery will be a matter of scrutiny during the trial, particularly, whether the procedure complied with the prescribed rules and norms was followed or not.



It is also pointed out that the recovered quantity was weighed along with the bags containing the contraband. Thus, at this stage, no conclusive view can be taken as to whether the actual contraband falls under the 'commercial' category.

3. On the other hand, learned State counsel has filed status report dated 22.07.2025, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

4. While vehemently opposing the prayer for bail, learned State counsel submits that in view of the substantial recovery of narcotic contraband, petitioner is not entitled to the concession of regular bail without first establishing his innocence.

However, on being asked by the Court, he fairly conceded that except present case, petition is not found indulged in any other similar activity. He is inside jail for about nine months, and till date, none of the witnesses has been examined so far, out of the total 11 prosecution witnesses.

5. Therefore, taking note of the submissions and the circumstances, noticed here-above, I deem it appropriate to consider the petitioners' plea for grant of bail.

6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in



any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

July 22, 2025

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>