



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203-1

CRM-M-34360-2025 (O&M)

Date of decision: 10.11.2025

Jagdev Singh @ Jaggu

...Petitioner(s)

VERSUS

The State of Punjab

... Respondents(s)

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CRM-M-35030-2025(O&M)

Date of decision: 10.11.2025

Mangal Singh @ Manga

...Petitioner(s)

VERSUS

The State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Madan Sandhu, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

CRM-24983-2025 in CRM-M-34360-2025

CRM-25384-2025 in CRM-M-35030-2025

The applications are allowed as prayed for subject to all just exception.

Main cases:

1. Both these petitions have been file by two different accused/petitioner(s) 24.09.2024, registered under Section(s) 15(C) and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police



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Station Maqsudan, District Jalandhar. For facility of reference, the facts are however being taken from **CRM-M-34360-2025** titled as '**Jagdev Singh @ Jaggu Vs. The State of Punjab**'.

2. Briefly summarized, the case of the prosecution as mentioned in the order dated 27.03.2025 of the trial reads thus:-

“4. In brief, the fact of the present case are that on 24.09.2024, SI Nirmal Singh along with other police officials were going from Jalandhar towards Maqsudan, that when they reached near Railway crossing, Bidhipur, then they saw a Canter bearing No.Pb-10-HJ-2832 make Ashoka Layland coming from the opposite side and there were yellow and black coloured Tripal on top of it. On seeing the police party, one of the person tried to hide himself under the Tripal and another person started walking towards shrubs on the side of road. On the basis of suspicion, he was apprehended and on interrogation, he disclosed his name as Mangal Singh alias Manga and the other person disclosed his name as Jagdev Singh alias Jaggu. After following the due procedure, search of the Canter was conducted and it was found to be containing 10 plastic bags containing poppy husk, which on weighing came out to be 15 kg each, totalling upto 150 kg. As the accused failed to produce any permit or licence to keep in their possession the above said narcotic, they were arrested. Hence,



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the present FIR.”

3. Learned counsel for the petitioner contends that the petitioner(s) contends that the only attribution to the petitioner(s) is that they were spreading Tarpaulin Sheet (*Tripal*) on stationary Canter bearing registration No.PB-10HJ-2832 make Ashoka Layland. He contends that the investigating agency has not linked the vehicle with the petitioners in any manner whatsoever. He contends that the petitioners are neither stated to be owners/Driver/Conductor/Cleaner of the vehicle in which the contraband was lying. It is contended that the conscious possession of the petitioners thus cannot be assumed merely because they were spreading the Tarpauline Sheet on the goods loaded in the vehicle. It is further submitted that both the petitioners have undergone the actual custody of more than 01 year and 01 month respectively and the trial is yet to be commenced.

4. Learned counsel for respondent-State does not dispute that the currently he is not aware of the link of the petitioners with the vehicle in question and he also does not dispute that when the petitioners were apprehended they were covering the vehicle with a Tarpauline Sheet. The period of custody is also not disputed and it is fairly informed that out of 14 prosecution witnesses none has been examined so far.

5. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

6. Having heard the learned counsel for the parties and taking into



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consideration the facts noticed above and that the arguable issued pertaining to conscious possession of the petitioners and that implication in the instant case would arise during the trial coupled with the period of the custody as well as the stage of trial so far and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

7. Accordingly, the both these petitions are allowed and the petitioners are ordered to be admitted to regular bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

8. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

10.11.2025
Mangal Singh

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