

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

2025:PHHC:148708



219/1

CRM-M-37956-2025 (O&M)

Date of Decision: 29.10.2025.

Harchand Singh

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Armaan Gagneja, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No.101 dated 07.06.2025 under Section 15(C)/61/85 of the NDPS Act (Sections 29 and 25 of the NDPS Act added later on vide GD No.22 dated 08.06.2025), registered at Police Station Sadar Muktsar, District Sri Muktsar Sahib.

As per prosecution case, co-accused Nishan Singh was found in possession of 150 Kg of poppy husk. The petitioner was nominated as an accused in the present case on the basis of disclosure statement of the said co-accused, who stated that the said poppy husk belonged to co-accused Bohar Singh and had been kept in house of the petitioner for further sale.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case only on the basis of disclosure statement of aforesaid co-accused, which is not admissible in law

and no recovery has been effected from him. The house from where the alleged recovery was effected was in his name but he was not residing there and co-accused Nishan Singh was residing in the said house, so he cannot be connected with the contraband allegedly recovered from there. He prayed that custodial interrogation of the petitioner is not required and he is ready and willing to join the investigation and the present petition be allowed.

Learned State counsel opposed the present petition and submitted that the petitioner was also indulging in smuggling. He has been specifically named in the disclosure statement of co-accused and as such he is not entitled to the concession of bail.

Heard.

As per allegations, the name of the petitioner surfaced in the present case, on the basis of disclosure statement of co-accused Nishan Singh, who stated that the said poppy husk had been kept by co-accused Bohar Singh in room of his maternal uncle Harchand Singh, who had instructed him to further sell this poppy husk. Though, the petitioner was not present at the time of the alleged recovery of poppy husk from his house, but it cannot be brushed aside that the recovery of the poppy husk had been effected from the house belonging to the petitioner. So, as such custodial interrogation of the petitioner is required to unearth the supply chain as well as origin of the contraband and it is not a fit case where the petitioner deserves concession of anticipatory bail.

Accordingly, the present petition stands dismissed. However, nothing observed herein above shall be construed to be an expression of

opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

29.10.2025.

Komal

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