

CRM-M-38484-2025

-1-

(208)

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

CRM-M-38484-2025

Date of Decision: 12.09.2025

HARINDER SINGH**... Petitioner****Versus****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**Present: Mr. Virender Soni, Advocate
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.392 dated 24.12.2020 registered under Sections 15(C), 15(3) 18, 25, 27-A, 29, 59(2)-61-85 of NDPS Act (Sections 7, 7-A, 8 of Prevention of Corruption Act and Sections 192, 196, 201, 202, 203, 217, 409, 166-A, 120-B IPC added later on) at Police Station Uchana, District Jind.

2. The brief facts of the are that one Jagroop Singh was apprehended while travelling in a truck bearing No.PB-08-DG-6706 and found in possession of 21 bags of poppy husk containing 414 kgs of the same on 18.12.2020 by ASI Parveen of CIA- Staff Jind. FIR No.388 dated 18.12.2020 U/s 15-61-85 of NDPS Act P.S. Uchana came to be registered.

3. Jagroop Singh suffered a disclosure statement on 19.12.2020 to the effect that the contraband had been brought from Rakesh Kumar who was

**CRM-M-38484-2025****-2-**

travelling in truck bearing No.HR-45C-9998. Based on the said statement, Rakesh was arrested while travelling in the truck in question by ASI Jaibir Singh of CIA Staff Narwana. The truck was seized and deposited at P.S. Uchana. Later, on 23.12.2020, PSI Bajinder Singh of Haryana State Narcotics Control Bureau Madhuban received information that Rakesh Kumar had been arrested by CIA-I Jind on 19.12.2020 along with truck bearing No. HR-45C-9998 in a case of poppy husk registered at P.S. Uchana who had sold the Dodda post to other accused who had been arrested. Rakesh Kumar in connivance with the owner had loaded poppy husk along with onion in the truck and on being arrested the truck had been parked at P.S. Uchana without showing the recovery of the contraband. Based on this information, the truck was checked and 20 bags of black colour containing 398.15 Kgs of Chura Dodda post came to be recovered. It later on transpired that ASI Parveen Kumar, second Investigating Officer ASI Jaibir Singh and other police officials connected in the investigation of FIR No.388 dated 18.12.2020 U/s 15-61-85 of NDPS Act P.S. Uchana had connived with each and deposited the truck bearing No.HR-45C-9998 in the Malkhana of Police Station, Uchana after having shown the same as recovered from accused Rakesh Kumar but did not show the contraband lying in it. Upon this fact, the present FIR No.392 dated 24.12.2020 under Sections 15(C), 15(3) 18, 25, 27-A, 29, 59(2)-61-85 of NDPS Act (Sections 7, 7-A, 8 of Prevention of Corruption Act and Sections 192, 196, 201, 202, 203, 217, 409, 166-A, 120-B IPC added later on) Police Station Uchana, District Jind.

**CRM-M-38484-2025****-3-**

4. On 28.12.2020, Jagroop Singh and Rakesh Kumar were produced in the Court on production warrants. On interrogation, they confessed their guilt. On 11.01.2021 accused Amandeep Singh was produced on production warrants and was joined in investigation and arrested in the present case. Sections 18, 27-A & 59(2) of NDPS Act and Sections 7, 7-A, 8 of P.C. Act and Sections 120-B, 192, 196, 201, 202, 203, 217, 409, 166-A IPC were invoked.

5. Amandeep Singh suffered his disclosure statement that he had been apprehended by CIA-I Police Jind along with Rakesh Kumar and juvenile Abhishek Kumar alias Sheiki @ Chhottu while he was carrying in his truck No.HR45C-9998 onion and poppy husk. On 13.01.2021, another co-accused Mubarik Khan was arrested. On 22.01.2021, accused Badhwa Singh was arrested. Abhishek Kumar alias Sheiki @ Chhottu was joined investigation and confessed his guilt. On 25.02.2021, Subhash alias Golu was arrested and admitted his guilt.

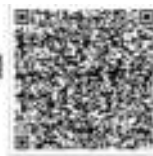
6. The investigation reveal that accused Rakesh used to supply narcotic substance in Haryana after getting it loaded from Irfan Khan and Mubarik Khan. Further, when on the intervening night of 17/18.12.2020, CIA-I, Jind had apprehended the accused namely Rakesh, Amandeep and Abhishek alias Chhotu with truck No.HR-45C-9998 loaded with poppy husk and Opium in case FIR No.388 dated 18.12.2020 under Sections 15(c),27-A,29 of NDPS Act, P.S. Uchana, then co-accused Badhawa Singh after talking with the relative of his son Gurinder Singh, namely Ram Dass s/o Hari Dass, resident of village Asan, District Jind, his associates Sanjay

**CRM-M-38484-2025****-4-**

Sarpanch and his sons Gurinder Singh, Harinder Singh (present petitioner) and Sardool Singh got released his grand son Amandeep and his (Amandeep) associate Abhishek alias Chhottu involved in case FIR No.388 dated 18.12.2020 under Sections 15(c), 27-A, 29 of NDPS Act, P.S. Uchana through Ramdass and Sanjay Sarpanch after the recovery of 414 kgs. poppy husk and by not showing 398 kgs. 150 grams poppy husk and by giving bribe of Rs.10 lacs to ASI Parveen Kumar. Name of the petitioner-accused Harinder Singh has appeared from the disclosure statement dated 01.01.2021 of co- accused Rakesh by which he disclosed that Amandeep's father Gurinder Singh, Uncle Harinder Singh (present petitioner), Badhwa Singh-grandfather, maternal uncle Ramdas and Sanjay Sarpanch settled the matter with the police by paying illegal gratification and got released Amandeep Singh and Abhishek @ Chhottu.

7. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. No recovery has been effected from him. He has been named in the disclosure statement of his co-accused. As he is in custody since 07.04.2025 but none of the 66 of the prosecution has been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail moreso when co-accused namely, Gurinder Singh, Mubarik Khan, Subhash @ Golu, Sanjay and Badhwa Singh have been granted the concession of bail vide orders dated 06.04.2022 and 09.08.2021 (Annexures P-3 to P-4).

8. On the other hand, the learned State counsel while referring to

**CRM-M-38484-2025****-5-**

the reply dated 13.08.2025 contends that looking at the nature of the allegations levelled against the petitioner, he is not entitled to the concession of bail. He remained absconding for more than 3 years. He, however concedes that no recovery of any contraband is effected from the petitioner, that he is in custody since 07.04.2025 but none of the 66 prosecution witnesses has been examined so far and that co-accused namely, Gurinder Singh, Mubarik Khan, Subhash @ Golu, Sanjay and Badhwa Singh have been granted the concession of bail vide orders dated 06.04.2022 and 09.08.2021 (Annexures P-3 to P-4).

9. I have heard the learned counsel for the parties.

10. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 07.04.2025 but none of the 66 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required moreso when co-accused namely, Gurinder Singh, Mubarik Khan, Subhash @ Golu, Sanjay and Badhwa Singh have been granted the concession of bail vide orders dated 06.04.2022 and 09.08.2021 (Annexures P-3 to P-4).

11. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Harinder Singh S/o Badhawa Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

**CRM-M-38484-2025****-6-**

12. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

13. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.3,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

14. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

12.09.2025

JITESH

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