



CRM-M-39514-2025 and other connected cases

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-39514-2025

Dayanand alias Sajan

.....Petitioner

Versus

State of Haryana

.....Respondent

225-2

CRM-M-43850-2025

Ravi Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

225-3

CRM-M-62777-2025

Jitender Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

225-4

CRM-M-48016-2025

Aditya

.....Petitioner

Versus

State of Haryana

.....Respondent

Decided on: 04.12.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. D.N. Ganeriwala, Advocate for the petitioner
(in CRM-M-39514-2025).

Mr. Jasvir Singh Dhaliwal, Advocate for the petitioner
(in CRM-M-43850-2025)

Mr. Lal Singh Sandhu, Advocate for the petitioner
(in CRM-M-62777-2025).

Mr. Arpandeep Narula, Advocate for the petitioner
(in CRM-M-48016-2025).

Mr. Amish Sharma, Asst. A.G., Haryana.



SANJAY VASHISTH, J.

1. By way of this common order all the aforementioned petitions are being disposed of as they arise out of one common FIR.
2. Present petitions have been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 503 dated 23.07.2024, under Section 15C and 29 of NDPS Act, registered at Police Station Sirsa City, Sirsa Haryana.

Facts of the case:

3. As per the case of prosecution, acting on secret information regarding drug trafficking, a police team set up a checkpoint near Ganesh weighbridge, Sirsa. A white Maruti Ertiga (HR24AD-3490) traveling from Chatargarh Patti was intercepted. The vehicle was driven by Aditya with passengers Dayanand alias Sajan and Ravi Kumar.

Upon search, two black plastic bags containing **54 kg of poppy husk (dodda post)** were recovered. It is alleged that contraband was procured from co-accused Ravi s/o Subhash and Darshan for the purpose of sale. During the investigation, it was revealed that **Jitender Kumar facilitated the purchase**, although he is not named in the FIR.

Role and Custody of Petitioners

Petitioner	Role	Custody Since	Remarks / Co-accused Bail
Dayanand alias Sajan	Front seat passenger; allegedly involved in transporting contraband	23.07.2024	-
Ravi Kumar s/o Amrik	Rear seat passenger; involved in	23.07.2024	Pending FIR No. 84 dated 06.02.2020



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	transporting contraband		(already on bail)
Jitender Kumar	Allegedly facilitated purchase of contraband; not named in FIR	12.09.2025	Co-accused Ravi s/o Subhash and Darshan granted anticipatory bail on 18.09.2024 and 26.05.2025
Aditya	Driver of the car carrying contraband	23.07.2024	-

All petitioners have remained in custody for substantial periods. Jitender Kumar’s role is ancillary, and any longer incarceration of him, may not be essential, since co-accused persons involved in the supply chain have already been granted bail.

4. Learned counsel for the petitioners submits that petitioners are in custody for substantial periods—Dayanand alias Sajan and Ravi Kumar since 23.07.2024, Aditya since 23.09.2024, and Jitender Kumar since 12.09.2025. Recovery of 54 kg of poppy husk (dodda post) was effected from car Maruti Ertiga during interception, with Aditya as the driver, Dayanand as front passenger, and Ravi Kumar as rear passenger. Jitender Kumar’s involvement was limited to facilitating the purchase of contraband from co-accused persons namely Ravi s/o Subhash and Darshan, who have already been granted anticipatory bail on 18.09.2024 and 26.05.2025 respectively. Ravi Kumar, though facing a prior case (FIR No. 84 dated 06.02.2020), is already on bail, indicating he is unlikely to abscond. Counsel emphasized that their continued detention is unnecessary and disproportionate, and thus, prays for grant of regular bail.

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5. Learned counsel for the State opposed the prayer of bail by submitting that the recovered quantity of poppy husk (54 kg) is a commercial quantity under the NDPS Act, attracting stringent penalties. The serious nature of the offence requires strict adherence to statutory provisions, and leniency should be exercised with caution. Therefore, prays for dismissal of the present petitions.

6. I have heard learned counsel for the parties and perused the material available before this Court.

7. Additionally, viewing all the circumstances this Court realises that the total quantity of poppy husk recovered in the present case is 54 kg when the three of the accused were together in a company. Admittedly, recovered contraband is marginally more i.e. 04 kg than the maximum of non-commercial quantity i.e. 50 kg. At this stage, nothing can be ascertained whether all the accused would be held equally liable for having commercial quantity in their possession of poppy husk or the quantity would be shared in parts qua the respective accused holding a particular accused liable for possession or aiming to possess non-commercial quantity out of the total bulk. In other words, conscious possession of each of the accused for 54 kg or after its division is yet to be ascertained by the trial Court, in case the charges are found to be proved at last.

8. Considering the facts and circumstances of the case, role of the petitioners, substantial period already spent in custody, and the ancillary involvement of Jitender Kumar as well as the fact that co-accused persons involved in the supply chain have already been granted

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the concession of anticipatory bail. In view of the likelihood of protracted trial proceedings, this Court is of the opinion that further detention of the petitioners would not serve any meaningful purpose. Consequently, the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

10. It is further made clear that if, in future, the petitioners are found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

11. A photocopy of this order be place on the files of other connected cases.

(SANJAY VASHISTH)
JUDGE

04.12.2025

Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**