



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228

CRM-M-40398-2025
Decided on : 08.12.2025

PARSHAN SINGH
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. K.B.S. Mann, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, DAG, Punjab.

SANJAY VASHISTH, J.

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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Parshan Singh	120	06.08.2024	15(C), 27, 29 of NDPS Act and Section 25 of the Arms Act	STF Wing	SAS Nagar (Mohali)

2. Counsel for the petitioner submits that, as per the allegations, on 06.08.2024 at about 9:30 p.m., police received secret information that one Gurpal Singh had leased out his land to the petitioner and poppy husk was being stored in a room constructed on the said land. Upon conducting raid, police recovered six bags containing



total 183.500 kilograms of poppy husk from the fields. Subsequently, on 20.11.2024, Gurpreet Singh and his father Jagsir Singh were nominated as accused on the allegation that both were exercising control and management over the land as lessees on a shared basis. Petitioner was also a lessee under Gurpal Singh, who is not an accused.

It is argued on behalf of the petitioner that conscious possession of the recovered contraband is yet to be established and it remains to be determined who, among the persons associated with the land, is liable for the alleged possession.

3. Counsel for the petitioner further submits that similarly situated co-accused, namely Jagsir Singh, who was also a lessee of a portion of the land, has already been granted the concession of regular bail by this Court, vide order dated 05.12.2025 passed in CRM-M-52283-2025. Copy of the said order has been produced in the Court and the same is taken on record.

4. It is additionally contended that investigation has now been completed and report has been submitted against all the three named accused; however, trial is likely to take considerable time as there are total 38 prosecution witnesses, none of whom have been examined, so far. Petitioner, who is 35 years of age, is in custody since 17.11.2024, and is allegedly a first-time offender. Thus, counsel prays that petitioner be granted regular bail in the present case.

5. On the other hand, learned State counsel submits that a heavy quantity of contraband, i.e., 183.500 kilograms of poppy husk, has been recovered from the possession of the accused persons. In addition to



the contraband, one 12-bore country-made pistol was also allegedly recovered from the possession of the petitioner. Thus, in view of seriousness of the offence and nature of the recovery, it is argued that petitioner does not deserve any sympathetic consideration for the purpose of grant of bail.

6. This Court has heard the submissions advanced by learned counsel for the parties and has carefully perused the record.

7. Allegations against all the accused persons are broadly similar in nature; however, petitioner's name finds specific mention in the FIR. As contended by learned counsel for the petitioner, total agricultural land measuring about 19–20 acres was taken on lease from its owner, Gurpal Singh, and all three accused in the present case are lessees of the said land. In these circumstances, it will be a matter for the trial Court to determine whether all the accused are equally responsible for the contraband recovered from the fields, or whether the liability can be attributed to only one or some of them. Until such an issue is conclusively adjudicated, personal liberty of the petitioner, who has already undergone incarceration for a period of more than one year, ought not to be curtailed indefinitely.

8. In view of the totality of the circumstances, nature of allegations, and the factors noted hereinabove, this Court finds it appropriate to extend the concession of regular bail to the petitioner.

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.

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

10. Any of the discussion done and recorded here above, 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.

11. 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.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

08.12.2025
Lavisha

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