

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

2025:PHHC:112324



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CRM-M-40737-2025 (O&M)

Date of Decision: 25.08.2025.

Tarsem Singh

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Abhinav Singla, Advocate for the petitioner.

Mr. Pawan Kumar Garg, DAG, Haryana.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.101 dated 10.05.2025, under Sections 15b, 61 and 85 of NDPS Act, registered at Police Station Kalan Wali, District Dabwali.

As per prosecution case, on 10.05.2025, co-accused Ashok Kumar @ Kala was found in possession of 09 kilo 770 gram of poppy husk without any permit or licence. Hence the present FIR was registered against Ashok Kumar @ Kala without any permit or license. The petitioner was nominated as an accused in the present case later on the basis of disclosure statement of co-accused.

Learned counsel for the petitioner contended that the alleged recovery of the contraband in the present case has been effected from co-accused Ashok Kumar @ Kala. The name of the petitioner cropped up as an accused only on the basis of disclosure statement of co-accused. No

recovery was effected from the petitioner. 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.

Notice was issued in this case on 31.07.2025 and status report was called from the State, which was filed today in the Court and the same was taken on record.

Learned State counsel opposed the petition and submitted that the petitioner is alleged to be supplier of the poppy husk allegedly recovered from the possession of co-accused and he is involved in two more cases under NDPS Act and as such he is not entitled to the concession of anticipatory bail.

Heard.

As per status report, the name of the petitioner surfaced only on the basis of disclosure statement suffered by co-accused Satpal Saggu @ Sattu Tailor, who stated that he had purchased 10 kg of poppy husk from petitioner-Tarsem Singh and further gave it to accused Ashok Kumar @ Kala. Co-accused Ashok Kumar @ Kala and Satpal Saggu @ Sattu Tailor have already been released on regular bail. Besides the disclosure statement, no material has been brought on record to connect the petitioner with the offence in the present case. The alleged recovery effected from co-accused Ashok Kumar @ Kala falls within the ambit of 'non commercial quantity'. As custodial interrogation of the petitioner is not required for any purpose, so no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of his arrest, the petitioner is

ordered to be released on bail, on his furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/ Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

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 application.

(SUKHVINDER KAUR)
JUDGE

25.08.2025.

Komal

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