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

CWP-22428-2025**Reserved on: 09.10.2025****Pronounced on: 16.10.2025**

BHINDER SINGH

...Petitioner

versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL.

Present: Mr. Navneet Jindal, Advocate
for petitioner.

Mr. Deepak Vashishth, D.A.G., Haryana.

SUVIR SEHGAL, J.

1. This petition has been filed, *inter alia*, for issuance of a writ in the nature of certiorari for quashing orders dated 24.03.2025 as well as 27.05.2025, Annexures P/3 and P/4, whereby the petitioner has been taken into preventive custody for seven months under the provisions of Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (for brevity hereinafter referred to as '**PITNDPS Act**'). Petitioner has also sought a direction to the respondents to release him from detention.

2. Mr. Navneet Jindal, counsel for the petitioner has argued that the detention order has been passed as the petitioner has been found to be involved in some criminal cases registered against him for offences under the NDPS Act. He submits that out of the seven cases registered against the petitioner, recovery of intermediate quantity of contraband has been effected from him in three cases. Counsel emphasizes that all the cases

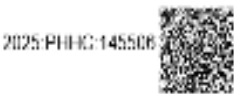


are under trial and the petitioner has been duly complying with the conditions imposed upon him by the Court while granting bail. Counsel urges that respondent-authorities do not have any material to form an opinion that petitioner's preventive detention is required. He has placed reliance upon a judgment of the Division Bench of this Court in *Lakhwinder Singh @ Bhindi vs. State of Haryana and Others (LPA No.2654-2025, decided on 02.09.2025)* to argue that mere involvement in some criminal cases lodged under the provisions of the NDPS Act is not sufficient to keep the petitioner in custody.

2. Per contra, Mr. Deepak Vashisth, D.A.G., Haryana has made a reference to the impugned orders as well as to the response filed on behalf of the respondents. He has argued that the detaining authority has considered the entire material and the relevant aspects while passing the impugned order as it was found that the petitioner was not only misusing the concession of bail but was also indulging in drug trafficking along with his family members. He has stressed that detention order has been passed after strictly complying with the provisions of the PITNDPS Act and incarceration of the petitioner is imperative to prevent him from indulging in the trade of contraband.

3. I have heard counsel for the parties and examined the documents appended with the paper-book with their able assistance.

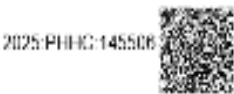
4. An examination of the material placed on record shows that vide memo dated 22.01.2025, Annexure P/2, Superintendent of Police, Dabwali initiated a proposal for the detention of the petitioner. This proposal was examined by the Director General of Police who forwarded to the competent authority vide letter dated 06.03.2025. The proposal



along with the record and other supporting documents was examined by the competent authority, who passed the impugned order, Annexure P/3, which was duly served upon the petitioner along with grounds of detention and dossier including copies of FIR, seizure memo, disclosure statement etc. on 25.03.2025 in the presence of a Duty Magistrate. Petitioner preferred a reference against the aforesaid order and he was accorded with an opportunity of hearing through video conferencing on 15.05.2025. The Advisory Board came to the conclusion sufficient cause is made out for detaining the petitioner and submitted a report dated 16.05.2025. Detention order, Annexure P/3 was confirmed by the competent authority vide impugned order dated 27.05.2025, Annexure P/4 which was served upon the petitioner and he was ordered to be kept in custody for a period of seven months from the date of his detention i.e. 25.03.2025. Counsel for the petitioner has not been able to point out any breach in the procedure adopted by the respondent authorities while passing the impugned order.

5. Petitioner has been named as an accused in seven criminal cases lodged against him under various provisions of NDPS Act. The details of the cases are as under:-

Sr. No.	FIR No., date, u/s and Police Station	Narcotic substance recovered	Date of arrest	Bail	Present status of case
1.	FIR No.24 dated 30.01.2019 u/s 15 NDPS Act, PS City Dabwali Police District Dabwali, Haryana.	2 kilo 200 gram. Poppy Straw (supplier)	28.02.2019	Bail granted on 01.03.2019	Under trial



2.	FIR No.198 dated 10.07.2019 u/s 21(b) NDPS Act, PS City Dabwali Police District Dabwali, Haryana.	10 Grams Heroin	10.07.2019	Bail granted on 19.08.2019	Under trial
3.	FIR No.450 dated 15.12.2021 u/s 21(b) NDPS Act, PS City Dabwali Police District Dabwali, Haryana.	14 Grams Heroin (supplier)	15.12.2021	Bail granted on 28.01.2022	Under trial
4.	FIR No.505 dated 16.09.2022 u/s 15 NDPS Act, PS City Dabwali Police District Dabwali, Haryana.	07 Grams Heroin	16.09.2022	Bail granted on 19.10.2022	Under trial
5.	FIR No.182 dated 20.08.2023 u/s 21(a) NDPS Act, PS Odhan Police District Dabwali, Haryana.	03 Grams Heroin (supplier)	01.09.2023	Bail granted on 01.09.2023	Under trial
6.	FIR No.333 dated 02.09.2024 u/s 21(b) NDPS Act, PS City Dabwali Police District Dabwali, Haryana.	6.15 Grams Heroin	02.09.2024	Bail granted on 01.10.2024	Under trial
7.	FIR No.433 dated 24.11.2024 u/s 21(b) NDPS Act, PS City Dabwali Police District Dabwali, Haryana.	7.19 Grams Heroin (supplier)	Not joined investigation	Anticipatory bail granted on 09.01.2025	Under trial

6. A perusal of the above reproduced details, in tabular form, show that after being released on bail in the first criminal case on 01.03.2019, petitioner was found in possession of 10 gms of heroin and was arrested on 10.07.2019. He was granted bail by the Court on 19.08.2019 and was arraigned as an accused on the basis of disclosure statement in the third criminal case. He was arrested on 15.12.2021 and released on bail on 28.01.2022. Once again he was arrested on 16.09.2022 in the fourth criminal case and a recovery of 7 gms heroin was effected from his person. After being granted bail on 19.10.2020, he



was arrested in the fifth criminal case on 01.09.2023 and was released on bail on the same day. Once again, he was apprehended with 6.15 gms heroin on 02.09.2024 and was released on 01.10.2024. In the said criminal case, he was arraigned as an accused on the basis of disclosure statement of a co-accused and was granted anticipatory bail on 09.01.2025. The sequence of events clearly reflect that petitioner has been indulging in the trade of banned substance in Dabwali and upon being released on bail has been going back to same trade. Not only this, it has also been found that petitioner's family is involved in drug trafficking. Petitioner's brother, Kulwinder Singh @ Kandi is involved in three criminal cases and petitioner's spouse, Beant Kaur, has one FIR registered against her, under the provisions of the NDPS Act. Petitioner's sister-in-law (wife of Kulwinder Singh @ Kandi) is also named an accused in two criminal cases for trading in psychotropic substance. All this material coupled together shows that the petitioner and his family members are deeply involved in this illicit trade. Petitioner's brother Kulwinder Singh @ Kandi, has also been detained under the provisions of the PITNDPS Act and a petition filed by him for quashing of the detention order has been declined by this Court vide judgment dated 13.10.2025.

7. Given the circumstances, a strong possibility exists that upon being released on bail, petitioner is likely to indulge in the drug trafficking again. Judgment of the Division Bench in Lakhwinder Singh's case (supra) is clearly distinguishable. Detaining authority in Lakhwinder Singh's case (supra) could not bring any material to notice of Court to justify his detention other than his involvement in the criminal cases.



8. This Court is of the view that the material before the detaining authority is sufficient to arrive at a conclusion that there is a live and proximate link between the past conduct of the petitioner and the imperative need to detain him. The detaining authority has applied its mind to all the relevant circumstances which are germane to the passing of the detention order. Subjective satisfaction arrived at by the detaining authority is based upon proper examination and analysis of the material before it. The tests laid down by the Hon'ble Supreme Court in *Ameena Begum vs. The State of Telangana and Others* (2023) 9 SCC 587 are satisfied and this Court does not find any ground to interfere with the impugned detention order.

9. There is no merit in the writ petition, which is dismissed without cost.

(SUVIR SEHGAL)
JUDGE

16.10.2025
Sunil Chander

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