



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-45757-2025
Date of decision: 30.10.2025

CHET RAMPetitioner

VERSUS

STATE OF HARYANARespondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. J.S. Dhaliwal, Advocate
for the petitioner.

Ms. Chhavi Sharma, Asstt. A.G. Haryana
for the respondent-State.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 359 dated 20.09.2024, registered under Section(s) 15 (c) and 29 of the NDPS Act and Section 347 (1) & 238 of BNS at Police Station Kalanaur, District Rohtak.
2. The case of the prosecution as mentioned in the order of the trial Court reads thus:-

“On 20.09.2024, in the area of 152D Highway near minor (canal) of village Kherari, situated within the territorial jurisdiction of Police Station Kalanaur, 352 Kilogram poppy husk was recovered from the conscious possession of accused Krishan and Chetram. On the basis of said recovery, the instant

case was registered and investigation was carried out. Accused Krishan and Chetram were arrested. During interrogation, both the accused suffered their disclosure statements. On 23.10.2024, accused Shri Bhagwan was arrested. Thereafter, offence under Section 29 of NDPS Act was invoked in this case. During interrogation, accused Shri Bhagwan suffered his disclosure statement and in pursuance of it, he got recovered a dongal. On 20.02.2025, accused Bhagwan Singh and Jasvinder Singh @ Jassa were arrested in this case.”

3. Learned counsel appearing on behalf of the petitioner contends that the petitioner was merely a passenger in the truck in question and was neither its owner, conductor, nor driver. It is submitted that the petitioner had no knowledge of the contents being transported in the said vehicle and, therefore, cannot be presumed to be in conscious possession of the contraband, namely 352 kilograms of poppy husk, recovered therefrom. Learned counsel further submits that co-accused Shri Bhagwan and Bhagwan Singh, the alleged seller, have already been granted the concession of regular bail. He contends that the petitioner is not involved in any other criminal case and has already undergone an actual custody of more than 01 year.

4. Counsel for the respondent-State on the other hand does not dispute the aforesaid facts and contends that only 03 out of 31 witnesses have been examined so far.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. In view of the facts noticed above and taking into consideration the role of the petitioner, lack of criminal antecedents and bearing in mind

the stage of the trial, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

OCTOBER 30, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No