



CRM-M-46242-2025

-1-

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

CRM-M-46242-2025

Date of Decision: 29.09.2025

Lakhan Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ravinder Kumar, Advocate and
Ms. Pearl Narag, Advocate, for the petitioner.
Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.231 dated 12.08.2024 under Sections 15(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Julana, District Jind.
2. Succinctly facts of the case are that on 11.08.2024, the Police party received a secret information to the effect that Jagdeep Singh son of Kartar Singh and Raj Kiran Verma @ Raju are indulged in selling *doda chura post*. It was informed that Jagdeep Singh owns a truck and Raj Kiran Verma works as a Driver of the truck and both of them had loaded goods from Punjab in their truck for Madhya Pradesh, Maharashtra and Andhra Pradesh etc. It was informed that while returning to Punjab, they bought *doda chura post* from Madhya Pradesh and concealed the same in the goods loaded in the said truck. It was further informed that they had parked their truck in the parking lot of Vishal Shuddh Vaishno Dhabha on Rohtak-Jind road. In case of raid, Jagdeep Singh and Raj Kiran Verma @ Raju could be arrested along with the contraband loaded in the truck. On receiving the secret information, a raiding team was constituted. The team raided the place



as disclosed and the truck as disclosed was found parked near the said Dhabha. On checking, three persons were found sitting inside the cabin of the truck. On asking, the Driver of the truck disclosed his name as Raj Kiran Verma @ Raju, the boy sitting on the rear seat told his name as Lakhan Singh (petitioner) and the person sitting on the conductor seat disclosed his name as Jagdeep Singh. They were suspected to be carrying some contraband in the truck and, thus, search of the truck was conducted and three black coloured plastic sacks and one white coloured plastic bag containing *doda chura post* (poppy straw) were found in the truck. On weighing, total contraband recovered from three sacks came to be 69.185 kgs. The accused failed to produce any licence regarding possession of the same and thus, the FIR was registered and all three were arrested on the spot. The investigation commenced. Samples taken were sent to the FSL. On completion of the investigation, challan was presented and on framing the charges, the trial Court proceeded with the trial. The petitioner approached the Court of learned Additional Sessions Judge, Jind praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 21.05.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Jagdeep Singh, who was the owner of the vehicle and Raj Kiran Verma, who was driver of the vehicle. He submits that petitioner was allegedly the cleaner of the vehicle. He has drawn the attention of this Court



CRM-M-46242-2025

-3-

to the order dated 29.07.2025 passed in **CRM-M-18472-2025**, whereby, co-accused Jagdeep Singh and Raj Kiran Verma have been granted regular bail by this Court. He submits that the petitioner is in custody since 12.08.2024. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who have already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Jagdeep Singh and Raj Kiran Verma. He has submitted that challan is presented and charges are framed, however, out of total 20 prosecution witnesses, no witness has been examined till date. He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 12.08.2024. Co-accused, namely, Jagdeep Singh and Raj Kiran Verma are on bail and the case of the petitioner as stated is at par with him. As submitted before this Court, challan is presented and charges are framed. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 01 year, 01 month and 09 days as on 28.09.2025. As per custody certificate, though the petitioner is involved in one more case, however, he is on bail in that case.

6. As held by the Hon'ble Supreme Court in ***Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260***, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid



down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

20 xxxxx

21it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

22 xxxxx

23. There is a further danger of the prisoner turning to crime, "as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal"²² (also see Donald Clemmer's 'The Prison Community' published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.'

7. This Court would refrain itself from commenting anything on



CRM-M-46242-2025

-5-

the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

29.09.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No