

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-50070-2025
Date of decision: 12.09.2025

MANJEET SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ankur Jain, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

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
MANJEET SINGH	14	03.02.2025	15-C of NDPS Act (Sections 27 and 29 of the NDPS Act and Section 181 of the Motor Vehicles Act added later on)	City Muktsar	Shri Muktsar Sahib, Punjab

2. Learned counsel for the petitioner contends that as per the allegations of the prosecution in the FIR, there is a recovery of 150 Kg of poppy husk from a truck bearing registration No.PB-22-K-8215, 12-tyre, which was being driven by



- 2-

one Gurpreet Singh @ Bittu along with one person, employed as conductor namely Gurpreet Singh @ Gopi.

Counsel further contends that the petitioner is in fact, engaged in the business of transportation and has never previously been found indulged in any kind of activity punishable under the NDPS Act. Since the petitioner was not present at the time of the recovery, which was effected from the other accused, who were employed by the petitioner, the issue of conscious possession on the part of the petitioner is yet to be ascertained by the learned Trial Court.

He also contends that petitioner is there inside jail for the last more than 03 months and 05 days. Apart the ownership of the truck there is a disclosure statement of the other co-accused namely Gurpreet Singh @ Bittu and Gurpreet Singh @ Gopi, as per which they were carrying the contraband on asking of the petitioner. Final report has been submitted and out of total 32 prosecution witnesses, none has been examined till date and recording of prosecution witnesses is likely to consume considerable time.

3. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 11.09.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

As per custody certificate, petitioner has already undergone 03 months and 05 days period inside jail.

4. Learned State counsel has vehemently opposed the prayer of grant of bail to the petitioner, keeping in view the nature of allegations and the gravity of



- 3-

offence involved herein. He further submits that if the petitioner is granted concession of bail, there is every likelihood of their being absconding from the trial and can indulge in similar kind of activities.

5. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition.

6. From the record, it is found that the petitioner was not present at the time of the recovery, nor has any evidence been pointed out by the learned State counsel to show that the petitioner had knowledge of the contraband being carried in his truck. Therefore, the question of conscious possession is undoubtedly yet to be ascertained by the trial Court at the final stage of the trial.

Considering the totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, this Court deems it appropriate to grant the concession of 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.

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

8. Any of the discussion done and recorded hereabove, 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.

9. 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.

10. Petition stands disposed of.

12.09.2025
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(SANJAY VASHISTH)
JUDGE

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