



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
245
CRM-M-50974-2025
Decided on : 16.09.2025
VARINDER SINGH ALIAS GURINDER SINGH
.....Petitioner
Versus
STATE OF HARYANA
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Manjot Kaur, Advocate,
for the petitioner.
Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

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
Varinder Singh @ Gurinder Singh, aged about 24 years	440	20.08.2024	15 of NDPS Act	Sadar Thanesar	Kurukshetra

2. Counsel for the petitioner contends that petitioner, who is a young person of the age of 24 years, is faced with the allegation of possessing in his illegal possession of 60 kilograms of poppy straw.
Counsel for the petitioner argues that the recovered quantity in fact, was found from the body of the truck, bearing registration No.PB 10 GK 6247 which was being driven by the petitioner, who is in judicial custody since 20.08.2024.



3. Further argues that as per the allegations, petitioner is found to be merely driving the truck, and admittedly, he is not owner of the same. Therefore, whether lying of the contraband i.e. 60 kilograms of poppy straw in body of the truck, was in the knowledge of the petitioner or not to constitute the conscious possession, would be determined only after adducing the evidence before the trial court.

Thus, for an indefinite period, petitioner should not be kept inside jail along with the reason that the recovered quantity is marginally more than non-commercial quantity. Thus, counsel prays for grant of regular bail to the petitioner in the present case.

4. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 15.09.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year and 16 days period inside jail and there is no other case registered against him.

5. It is informed by learned State counsel that petitioner is inside jail since 01 year and 16 days and is not found indulged in any other NDPS case, except of the one case under section 304-B of IPC. Therefore, he prays for dismissal of the present petition.

Further informs the Court that charges in the present case, have though been framed, but the process of recording of the statement of the witnesses is yet to start.

6. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it, and finds it appropriate to grant the concession of regular bail to the petitioner in the present case.

7. 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.



8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
9. Any of the discussion done and recorded here above, 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.
10. 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.
11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

16.09.2025
Mahima

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO