



233

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

**CRM-M-54533-2025
Decided on : 09.12.2025**

Amandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Hanspuneet Singh Kehal, Advocate for the petitioner.

Mr. Jasdeep Singh Gill, Addl. A.G., Punjab

SANJAY VASHISTH, J. (ORAL)

1. Petitioner- Amandeep Singh, aged 37 years, has filed instant petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking regular bail in case FIR No. 30 dated 30.04.2025, registered under Section 22(c) of NDPS Act (Sections 25, 27, 29, 61, 85 of NDPS Act added subsequently), at Police Station Sadar Rampura, Bathinda.

2. As per the case of prosecution, one accused namely Taranjot Singh @ Tarni while driving motorcycle bearing registration No. PB-32-J-3326, was apprehended and thereon from a black colored polythene bag, recovery of 2500 tablets Clobidol-100(Tramadol Hydrochloride Tablets USP-100 mg) was effected on 30.04.2025. Thereafter, motorcycle referred here above was also taken in possession by the police, in fact after a period of about three months, when the investigating officer realized that the motorcycle in question i.e. PB-32-J-3326 was registered in the name of the petitioner, he was also implicated as accused in the instant case.

3. Learned counsel for the petitioner argues that infact the petitioner is not connected in any other manner, except of having incidental ownership of the



motorcycle in question. There is complete absence of knowledge as to for what purpose the motorcycle is being used, therefore, the moot question before the trial Court remains to be decided whether the petitioner can be held liable, on the ground of having conscious possession of contraband recovered from the co-accused Taranjot Singh @ Tarni. He further argues that co-accused Rahul Bansal, who allegedly had supplied the recovered tablets to the main accused Taranjot Singh @ Tarni has already been released on anticipatory bail by this Court vide order dated 07.08.2025 passed in CRM-M-28300-2025. Counsel further argues that the petitioner is inside jail for the last 04 months 09 days period and during his custody period nothing was recovered from his possession, nor anything else is to be recovered from him. Therefore, until the involvement is established by proving the charges/knowledge regarding contraband at the time of recovery, he can not be termed as accused and prays for grant of regular bail.

4. On the other hand, learned State counsel argues that the petitioner being owner of the motorcycle can not run away from his liability and he is the only one, with whose connivance the recovered tablets were being transported on the motorcycle by his co-accused Taranjot Singh @ Tarni. Further argues that involvement of the main accused and of the petitioner is almost similar and he can not claim any distinction for seeking concession of bail.

5. I have considered the submissions addressed by learned counsel for the parties and also gone through the record including the status report alongwith custody certificate produced before this Court. Undisputedly, the petitioner is of the age of 37 years and as per custody certificate there is no instance whereby it can be assumed that the petitioner was earlier involved in any other similar activity, as of now the petitioner is inside jail for the last 04 months and 09 days.

From the status report also no fresh evidence has been highlighted by the State that



petitioner was having any prior knowledge about the recovered tablets from co-accused while he was using the motorcycle owned by the petitioner. Thus, State has placed its reliance upon the ownership of the motorcycle, which is recorded in the name of the petitioner. However, issue regarding having any prior knowledge of recovered contraband, is yet to be established during the course of trial.

Investigation has already been completed and challan is also submitted, however, process of recording of statement is yet to start, therefore, 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.

6. However, it is clarified in case the petitioner is found indulged in any manner with the tempering of evidence alone or in connivance with other accused, he will have to face the consequences and may be the bail concession is withdrawn on the asking of the prosecution.

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 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.

9. Petition stands disposed of.

December 09, 2025

reena

**(SANJAY VASHISTH)
JUDGE**

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