



CRM-M-64824-2025 (O&M)

-1-

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

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CRM-M-64824-2025 (O&M)

Date of decision: 21.11.2025.

Padam Singh Chauhan @ Padam Singh

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

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

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

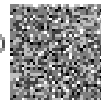
Ms. Chhavi Sharma, AAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

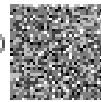
1. The present first petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.229 dated 03.10.2025, registered under Section(s) 15(b), 29, 61 & 85 of NDPS Act, registered at Police Station Badra, District Charkhi Dadri.

2. FIR registered against the petitioner reads thus:-

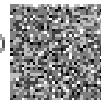
“To I ASI Vishal 32/ Dadri, HC Vishal 117/Dadri, Constable Sudhir 370. Constable Dinesh 885 on Official Vehicle No.HR-19-V-3012 being driven by Constable Sukhbir 717 along with laptop and printer were going to patrolling near Bus Adda Bandawa, where secret informer gave information to me ASI that Aman son of Som Vir r/o Naugawaan, District Jhajjar presently of Birhikalan is indulging selling Narcotics and he is coming on Truck Tralla No. HR-84-6747 from Loharu Side and going towards Dadri if Naka be laid he will be apprehended with Narcotics and as information was reliable,



information was discussed with officials accompanying and information sent to Sr. Officials as per provision of 42 of NDPS Act and at present section 42 NDPS Act was prepared Siphai Sudhir 370/Dadri and send to Police Station Badadra and I ASI alongwith other Police officials on reached at official Naka Lad and prepared Nakabandi and after some times one Tralla from Loharu Side came and same was stopped and Number of Tralla was checked as HR-84-6747 and same was loaded with wooden logs and being covered by Saleti colour Tirpal and name of driver was asked, who said his name as Aman son of Somvir r/o Naugawana District Jhajjar presently residing Birhikalaan, District Dadri and person Aman was told regarding suspicion of being having Narcotics him and told him regarding search of his truck/tralla and regarding which separate notice u/s 50 prepared and read over to him (that you are having Tralla No. HR-84-6747, in which narcotics are present and as per NDPS Act you are having right of being checked as per provision and further you are right you can got your tralla checked by Gazetted Officer and Illqa Magistrate by calling him at present place or in front of them) and after hearing and get in knowledge of this notice he signed and witnesses signed) after that said Aman himself given his answer by writing and presented to me ASI (I am having said tralla in which you are having bleavce that there is narcotics and you have given me notice of searching and I have understood regarding notice very clearly and that my Tralla No. HR-84-6747 be search by calling gazetted officer at present place, said answer to notice presented before you in writing and Aman said person signed in the present of witness. Said as per list of duty Magistrate Sh. Jatinder Sigh TA/SDAO of Irrigation Department of Charkhi Dadri was called by



me on his mobile no. 7852884192 and his other number 9813434860, but due to night he did not pick the phone but later on phone was picked and at same time constable sudhir/370 Registered Rapat no. and provision of section 42 NDPS Act P.S Badada and Presented before me Rapat no.4 dated 3.10.25 and after seeing Police party 3/4 Person also came and on asking about giving witness, all said showed genius inability, went away from place dare that after sometime of wait Gazetted officer shri Jatinder Singh TA/SDAO from irrigation department came present and duty Magistrate sahib gave notice u/s 50 of NDPS and directed Vikas HC 117 Dadri to make search of mine and After doing my detail search by HC vikas and nothing was left with me, Memo for search regarding separately prepaid witness also signed on which I pursue search of aman and nothing found from cloths wear by him. Thereafter search of Trola was conducted HR 84 6747 and below the driver seat, one colour polythene bag was found with substance and as per my idea opium is found and even at back side conductor side Poppy flower was present, opium, which was recovered firstly weighed and in total same is 192 grams and same was put in plastic box package prepared by stamped as VK/5 and again Poppy flower in another polythene was weighed on machine same came to 1kg 187 grams same was separately packed and stamped as VK/5 and after using stamp, same handed over to HC vikas 117 /Dadri as per sample were drawn and after after using Recovered opium, poppy flower packages Truck Tralla HR 84 6747 and wooden log taken into possession of police and Aman signed with presence of witness and even duty Magistrate prepared proper of opium and poppy flower and same time everything was video graphed on phone of HC vikas 117/and uploaded, Aman by possessing opium 192 grams



opium and 1kg 187 grams poppy and committed offence u/s 18c,15b-61-85 of NDPS Act 1985.”

3. Learned counsel appearing for the petitioner contends that recovery in question has been effected from Aman s/o Som Vir, which is 192 grams opium and 01 kg 187 grams Doda Post. He contends that the petitioner has been nominated as an accused solely on the ground that a sum of Rs.22,500/- has been transferred to his account. He further contends that the petitioner runs a dhaba and the truck of co-accused Aman had suffered a break down. The petitioner claims that certain money had been borrowed from him for the purpose of vehicles or for oil by the co-accused and the said amount was re-paid. He contends that the petitioner is not involved in any other case and as he is in judicial custody, his detention for the purpose of investigation is not required.

4 On the other hand, State counsel does not dispute the aforesaid facts.

5. Having heard the learned counsel for the parties and taking into consideration the period of custody already undergone, the factum of recovery from the co-accused, the clean criminal antecedents of the petitioner as also the stage of the investigation, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6 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.

7 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.

21.11.2025.
monika

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*