



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-56782-2025
Decided on : 10.03.2026

Charan Singh . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ankit Yadav, Advocate
for the petitioner(s).

Mr. PK Jhanda, Sr. DAG, Haryana.

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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Charan Singh	286	09.06.2022	20 of NDPS Act, 1985	Hodal	Palwal

2. Learned counsel for the petitioner submits that the petitioner is aged about 40 years and he is in custody for more than a period of 03 years and 09 months.

3. FIR in the present case was registered on 09.06.2022 on the basis of secret information received by the police patrolling party to the effect that one Dev Dutt @ Chintu s/o Dayaram, r/o Pingaud, presently residing at Gadhiya Mohalla Hogal and one Naved Khan s/o Parvez Khan, r/o Delhi, used to bring and sell ganja leaves. It was further informed that a few days prior to the registration of the FIR, Dev Dutt had sent Charan



Singh (petitioner herein) to bring hemp leaves from Badrachalam, District Badradi Kothagudem (Telangana) on a tractor bearing registration No. UP65-AK-0274, make Sonalika, having a safety tank attached at the rear side. Upon conducting a raid, it was found that a car bearing registration No. HR50-D-7503, make Swift VDI, was escorting the said tractor, which was being driven by the petitioner – Charan Singh.

During investigation, it further came to light that the tractor was originally owned by one Vinod and had been taken over by the accused Javed, who is also a co-villager of the petitioner. Learned counsel thus argues that the recovery of 179.5 kg of ganja from the safety tank attached to the said tractor is attributable to the other named accused and that the services of the petitioner were merely utilized for the purpose of driving the said tractor.

4. It is further argued that the allegations in the FIR primarily relate to the activities of accused Dev Dutt and his co-accused Naved Khan, who are alleged to have been involved in importing ganja leaves from outside the State, i.e., from Telangana. There is no material on record to show that the petitioner was ever involved in similar activities in the past or that he derived any undue benefit from the alleged transportation of ganja.

Broadly speaking, the question before the trial Court, vis-à-vis the petitioner herein, would be whether he was in conscious possession of the contraband allegedly recovered or whether he had any knowledge that the same was being transported in the safety tank attached to the tractor. Besides, both the accused, namely Dev Dutt and Naved Khan, have already been granted regular bail by this Court vide orders (Annexures P-2 and P-3).

5. On the other hand, learned State counsel, though opposes the



prayer for bail, is unable to counter the submissions addressed by learned counsel for the petitioner as noticed here-above. Rather, he could not point out the involvement of the petitioner in any other case of similar nature.

6. I have heard learned counsel for the parties and perused the relevant material available on record.

7. Considering the overall facts and circumstances of the case, it is noticed that the petitioner is in custody for more than 03 years and 09 months. The case of the prosecution is that the contraband was recovered from the safety tank attached with the tractor which was being driven by the petitioner. The plea raised on behalf of the petitioner is that he was merely engaged for the purpose of driving the said tractor and that the question as to whether the petitioner was in conscious possession of the contraband or had knowledge about the same being transported in the safety tank attached with the tractor is a matter which would be determined during the course of trial.

It is further not disputed that the co-accused, namely Dev Dutt and Naved Khan, have already been granted the concession of regular bail by this Court and no other case of similar nature has been pointed out against the petitioner. The petitioner has already undergone substantial period of custody and the trial is likely to take some more time to conclude.

8. In view of the aforesaid facts and circumstances, but without commenting upon the merits of the case, this Court is of the considered opinion that the petitioner deserves the concession of regular bail.

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.

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

10. 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.

11. 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.

12. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

March 10, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No