



137+210 (2 cases)

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

1. CRM-M-57092-2025

Angrej Singh @ GejaPetitioner

versus

State of Haryana Respondent

2. CRM-M-13297-2026

Gurdeep @ SubaPetitioner

versus

State of Haryana Respondent

Date of decision : 17.03.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Satnam Singh Gill, Advocate
for the petitioner in CRM-M-57092-2025.

Mr. D.S. Virk, Advocate
for the petitioner in CRM-M-13297-2026.

Ms. Diya Sodhi, Sr. D.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.287 dated 07.09.2024, under Section 15 Narcotic Drugs and Psychotropic Substances Act, 1985 (subsequently Sections 25 & 27-A of NDPS Act, were added), registered at Police Station Sadar Pehowa, District Kurukshetra.

3. Succinctly, the facts of the present case are that the police party, while on patrolling on 07.09.2024, received a secret information to



the effect that Bhupender Singh @ Pinda, who works as a driver, supplies poppy husk in his vehicle bearing No.PB-11-CZ-2960. It was informed that today also he would bring a large quantity of poppy husk and in case of barricading is laid on NH-152, he could be apprehended along with the contraband. On receiving the information, raiding party was constituted and reached at the place as disclosed, where the abovesaid vehicle was seen coming and the same was signalled to stop. On asking, he disclosed his name to be Bhupender Singh. He was suspected to be carrying some contraband and on giving the offer the vehicle was searched. On conducting the search of the truck, 765 kgs of poppy husk was recovered from the same. The FIR was registered and he was arrested on spot. The investigation commenced. During investigation, he made a disclosure statement about the involvement of the petitioner-Angrej Singh @ Geja (in CRM-M-57092-2025) being the owner of truck, thus he was arrayed as an accused and resultantly, he was arrested on 12.09.2024. Angrej Singh @ Geja, further made a disclosure statement about the involvement of petitioner-Gurdeep @ Suba (in CRM-M-13297-2026) and thus, he was arrested on 19.09.2024. Petitioners approached Learned Additional Sessions Judge-Cum-Judge, Special Court, Kurukshetra praying for grant of bail, however, finding no merit, their applications were declined after hearing both the sides by Learned trial Courts vide orders dated 29.10.2024 and 07.11.2024, respectively. Aggrieved by the same, petitioner-Angrej Singh @ Geja earlier approached this Court by way of filing of CRM-M-55452-2024, which was dismissed as withdrawn on 13.11.2024, hence, the petitioner is before this Court by way of filing of second petition. Petitioner-Gurdeep @ Suba earlier approached this Court



which were dismissed as not pressed vide orders dated 27.03.2025 and 22.09.2025, respectively. Hence, he is before this Court by way of filing of present third petition, praying for grant of bail.

4. It has been submitted by learned counsels that the petitioners have been falsely implicated in the present case. It is submitted that admittedly the case of the prosecution is based on the secret information *qua* co-accused, Bhupender Singh, who was found to be the driver of the truck, however, there is violation of the provisions of Section 42 of the NDPS Act. It is submitted that the alleged recovery of 765 kgs of poppy husk has been effected from the truck. It is submitted that on the disclosure statement, the petitioners have been arrayed as an accused in the present case. Learned counsel for petitioner-Angrej Singh @ Geja has submitted that admittedly the petitioner is the owner of the truck, however, he had no knowledge regarding complicity of his truck in the alleged offence and only being the owner of the truck, the petitioner has been implicated in the present case. To buttress his arguments, he submits that the petitioner has no criminal antecedents as he has never been involved in any other case.

5. Learned counsel for petitioner-Gurdeep @ Suba has submitted that on the basis of disclosure statement of Angrej Singh, the petitioner has been arrayed as an accused. He submits that the only allegation against the petitioner is that out of the recovered contraband of 765 kgs of poppy husk, the petitioner was to purchase 100 kgs of poppy husk. He submits that disclosure statement of co-accused in itself is not an admissible evidence. He has also submitted that the petitioner has no criminal antecedents as he has never been involved in any other case.



6. It is submitted by learned counsel for the petitioners that false implication of the petitioners are writ large. It is submitted that the petitioners are behind bars from last about 1 ½ years but till date even the trial is not commenced. It is thus, submitted that in the facts and circumstances of the case, petitioners deserve to be granted bail.

7. Learned State counsel has vehemently opposed the submissions made by the counsel for the petitioners and submits that complicity of petitioner-Angrej Singh @ Geja surfaced during investigation being the owner of the truck. She submits that Angrej Singh @ Geja in conspiracy with Bhupender Singh, who is driver of the truck, smuggled the contraband recovered by hiding it in the truck. The recovery effected in the present case is of 765 kgs of poppy husk, which falls under the category of commercial quantity and thus, the provisions of Section 37 of NDPS Act, are attracted in the present case. She further submits petitioner-Gurdeep @ Suba was to purchase 100 kgs of poppy husk out of the recovered contraband. She, on instructions, has submitted that charges are framed and out of total 18 prosecution witnesses, none has been examined so far. She has produced the custody certificates of the petitioners on record.

8. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioners are behind bars since the date of their arrest, who are arrayed as an accused on the basis of disclosure statement of co-accused. Petitioner-Angrej Singh @ Geja has been arrayed as an accused being the owner of the truck from which the contraband poppy husk weighing 765 kgs was recovered. Petitioner-Gurdeep @ Suba was said to be the purchaser of 100 kgs of poppy husk out of the total



incarceration of about 1 ½ years. It further reflects that the petitioners have no criminal antecedents. Out of total 18 prosecution witnesses, none has been examined so far.

9. In view of the facts and circumstances of the present case, this Court cannot ignore the fact that the speedy trial is the fundamental right of every accused. As held by the Hon'ble Supreme Court in **Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260**, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

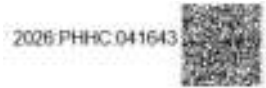
19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

20. xxxxx

21.it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

22. xxxxx

23. There is a further danger of the prisoner turning to crime, "as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal"²² (also see Donald Clemmer's 'The Prison Community' published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of



livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.

10. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

11. This Court would refrain itself from commenting anything on the merits of the case. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, both the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

17.03.2026
ps-I

(RAJESH BHARDWAJ)
JUDGE

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