



CRM-M-59281-2025

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

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**CRM-M-59281-2025  
Decided on :11.02.2026**

Avtar Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Fateh Saini, Advocate for the petitioner.

Mr. Satbir Singh Goripuria, DAG, Haryana.

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**SANJAY VASHISTH, J. (Oral)**

1. Present Second petition has been filed under Section 483 of the BNSS, seeking regular bail in FIR No. 185 dated 26.07.2024, under Sections 15/27-A/29 of NDPS Act, registered at Police Station Sadar Ambala, District Ambala

2. As per the case of the prosecution, on the basis of secret information, 2 quintals, 30 kilograms and 250 grams of poppy husk were recovered from petitioner-Avtar Singh, while he was driving a Tata Ace vehicle bearing registration No. HR-58-B-3441 near Village Balana on Ladana Road.

3. Learned counsel for the petitioner submits that although the quantity recovered is of commercial nature, petitioner is in custody since 26.07.2024. Despite such prolonged incarceration, trial has not yet concluded. Out of a total of 28 prosecution witnesses, not a single

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witness has been examined so far. Accordingly, he prays for the grant of regular bail.

4. While opposing the prayer for bail, learned State Counsel submits that alleged recovery effected from petitioner is of commercial nature, therefore, the rigours of Section 37 of the NDPS Act are attracted. Further submits that, there are serious and specific allegations against the petitioner and that, in view of the gravity and nature of the offence, he does not deserve the concession of regular bail. It is further submitted that if released on bail, petitioner may abscond or influence the prosecution witnesses. Accordingly, he prays for the dismissal of the present petition.

However, the factual aspects are not disputed and are confirmed by the learned State Counsel.

5. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto, including the status report.

6. Petitioner is about 40 years of age and, in his past career, no other case of a similar nature has ever been found registered against him. Therefore, his alleged involvement in the present case is highly doubtful. Even if it is assumed that the contraband was loaded in the Tata Ace tempo, it is yet to be established by the prosecution that the same was within the knowledge of the petitioner and that he was in conscious possession thereof. More so, the vehicle in which the contraband was allegedly being transported does not belong to the petitioner.

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Considering the aforesaid parameters, which learned State Counsel is not in a position to controvert, this Court finds merit in the prayer of bail.

Consequently, 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.

7. Any of the discussion done and recorded hereabove, 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.

8. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

9. Petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**11.02.2026*****Rashmi****Whether speaking/reasoned:* Yes/No*Whether Reportable:* Yes/No