



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

210

CRM-M-65731-2025  
Date of decision: 05.02.2026

SHINGARA SINGH .....Petitioner

VERSUS

STATE OF PUNJAB .....Respondent

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

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Present: - Mr. Tanvir Singh Attariwala, Advocate  
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

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**VINOD S. BHARDWAJ, J. (Oral)**

1. The instant first petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 141 dated 27.11.2024, registered under Section(s) 15, 25, 29 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Nawanshahr, District SBS Nagar.
2. The FIR in the present case has been registered on the basis of secret information which reads thus:-

*“As per prosecution version on 27.11.2024 Insp Avtar Singh, Incharge CIA Staff Nawanshahr along with his police party were present at bus stand Kariha, at about 12:10PM secret informer informed him that Davinder Kumar*

*S/o Pawan Kumar R/o Village Khoja, PS Rahon at present residing at Saloh Road, Nawanshahr is supplying poppy husk in District SBS Nagar after bringing the same from other states. Informer further disclosed that said Davinder Kumar along with his companions Gurminder Bhatia @ Ginda S/o Krishan Pal R/o Village Behbalpur and Shingara Singh S/o Jagat Pal R/o Village Binjo, PS Mahelpur, District Hoshiarpur have brought heavy quantity of Poppy husk from Rajasthan in a truck and they were going to supply said poppy husk after un-loading the same from truck in another vehicle in the area of villages Hansron, Dharamkot. If checking is conducted in these area, Davinder Kumar along with his companions Gurminder Bhatia and Shingara Singh could be apprehended along with truck loaded with heavy quantity of poppy husk. On finding information reliable, inspector Avtar Singh sent a ruqa and also sent report under Section 42 NDPS Act. Consequently, the present FIR was registered against above named Davinder Kumar, Gurminder Bhatia and Shingara Singh under Sections 15, 25, 29-61-1985 NDPS Act. Thereafter, when police party was going towards village Dharamkot, reached Link Road Dharamkot, two persons were seeing on the tool box of the truck near Sugar cane fields and one Innova car was also parked behind said truck and two persons were present near said innova car. On seeing the police party, two persons present near said innova car fled away from the spot towards Dharamkot Side along with innova car. Police chased innova car but due to blockage of narrow link road by the truck, the vehicles of police party could not cross said truck due to which two persons remained successful in slipping away from the spot along with Innova Car. The police noted the registration number of Innova car as PB-32-AC-8058 and one of the person sitting inside said innova car was identified as Davinder Kumar @ Lala S/o Pawan Kumar R/o Village Khoja, PS Rahon, presently residing at Saloh Road, Nawanshahr. Upon search of apprehended truck bearing No. PB-02-ES-8788, 50 bags, each*

*containing 20 KG Poppy Husk were recovered and two persons standing on the tool box of the truck disclosed their names as Gurminder Bhatia @ Ginda S/o Krishan Pal R/o Village Behbalpur, PS Mahelpur, District Hoshiarpur and Shingara Singh S/o Jagat Pal R/o Village Binjo, PS Mahelpur, District Hoshiarpur.”*

3. Learned Counsel appearing on behalf of the petitioner contends that the petitioner is a Labourer and had been engaged by Davinder Kumar to unload the truck. He contends that the petitioner was standing on the tool box of the truck to unload the truck. Counsel further submits that the petitioner is neither the owner of the truck nor employed in any capacity on the said truck. He contends that having been engaged for unloading of the truck, arguable issues would arise as to whether the petitioner was aware of the contents to be unloaded and whether he can be deemed to be in conscious possession of the contraband. He further contends that the petitioner has clean antecedents and is not involved in any other case. It is argued that notwithstanding the petitioner being in custody since 27.11.2024, no witness has been examined so far. The trial thus shall take long time in its conclusion.

4. Learned State Counsel does not dispute the aforesaid facts, however, he contends that the petitioner was apprehended from the spot and that the contraband had been loaded on the truck on which the petitioner was standing. It is further averred that out of a total of 19 witnesses cited by the prosecution, 03 witnesses have been given up, hence, effectively only 16 witnesses are to be examined. He, however, does not dispute that no witness has been examined so far.

5. Having heard learned counsel appearing on behalf of the respective parties and taking into consideration the role attributed to the

petitioner, he not being employed on the truck, the arguable issues with respect to the petitioner being in conscious possession of the contraband, his clean antecedents as well as the stage of trial, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. 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.

8. 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.

**FEBRUARY 05, 2026**  
*Vishal Sharma*

**(VINOD S. BHARDWAJ)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No