

2026.PHHC.022887



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.66110 of 2025

Gurmail Singh @ Gurmel Singh @ Sonu ... Petitioner
Versus
State of Punjab ... Respondent

1.	The date when the judgment is reserved	11.02.2026
2.	The date when the judgment is pronounced	13.02.2026
3.	The date when the judgment is uploaded on the website	13.02.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Abhaysher Singh, Advocate and
Mr. Karandeep Singh Sidhu, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
105	07.08.2024	Kot Ise Khan, District Moga	15, 25 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’)

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2. As per the allegations, on 07.08.2024, a secret information was received to the effect that the accused Pippal Singh who was undergoing sentence in jail in connection with a case registered under the provisions of NDPS Act and his son Inderjit Singh @ Labha along with one Joga Singh and with the help of his accomplices Manjit Singh @ Mani and brother Sarabjit Singh @ Sabi engaged in the business of sale/purchase of poppy husk on large scale and Pippal Singh had connection with big smugglers. It was informed that Manjit Singh @ Mani and Sarabjit used to do recce and supply the contraband in different villages. On that very day also, they had parked their vehicle on Dargahi road for the purpose of supplying poppy husk at some villages. Believing the secret information to be true, a raiding party was formed which reached at the informed place and found one youth to be present along with one pickup vehicle. On seeing the police officials, he managed to flee from the spot. On checking the vehicle, 30 bags of poppy husk were found kept in the vehicle each of which was measuring 20 kg. The accused Pippal Singh was arrested on 31.08.2024. He suffered disclosure statement admitting his involvement in the crime.

3. As per the further allegations, on 02.09.2024, the accused Manjit Singh @ Mani and Joga Singh who were confined in Kapurthala jail in connection with some other case were joined into investigation of this case and were formally arrested. The accused Manjit Singh suffered disclosure statement to the effect that on the fateful day, the petitioner was driving the pickup vehicle in which 30 bags of poppy husk were loaded

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whereas he was plying a pilot car in front of that vehicle by doing a recce. Thirthy bags of poppy husk were loaded in the vehicle. On seeing the police officials, the petitioner along with them had fled away from the spot. On his disclosure, the petitioner and co-accused Gurwinder Singh were nominated as additional accused. They surrendered on 02.11.2025. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused Manjit Singh after a gap of one month from the date of registration of FIR. He had nothing to do with the alleged offences. No recovery has been effected from him. The pickup vehicle which was found to be involved in the offence belongs to his father but was borrowed by co-accused Sarabjit Singh, brother of co-accused Manjit Singh. There is nothing on record to link him with the subject offence. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned Assistant Advocate General, Punjab has argued that the petitioner was driver of the pickup vehicle in which 30 bags of poppy husk were found loaded near the pits of sand. It was he who had run away after seeing the police officials and after leaving the pickup vehicle at the spot. He has criminal antecedents. There are chances of his committing similar offences, if extended benefit of bail. It is, thus, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

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7. The petitioner was the driver of the Bolero pickup vehicle from which recovery of commercial quantity of contraband had been effected. This vehicle is admittedly owned by his father. Though he had managed to flee from the spot on the day of occurrence and has been arrested only on 02.11.2025, however, the allegations against him are quite serious in nature. Simply on account of his escaping from the spot, he cannot be assumed to be innocent. The allegations prima facie suggest his active participation in the commission of subject offence as it was he who had been driving the vehicle carrying contraband. His antecedents are also not clean. Taking into consideration the role allegedly played by the petitioner, the period spent by him in custody, his antecedents and the severity of the punishment which the conviction may entail, this Court is of the considered opinion that the petition does not deserve to be allowed at this stage. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

13.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No