

CRM-M-68261-2025

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

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CRM-M-68261-2025
Decided on: 14.05.2026

Harpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Saarib Aggarwal, Advocate and
Mr. Anmol Joshi, Advocate for the petitioner.

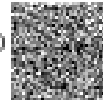
Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.(Oral)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking grant of regular bail in case FIR No.41 dated 12.05.2025, registered under Sections 18, 27, 29, 61 and 85 of the NDPS Act at Police Station Ghagga, District Patiala.

2. As per the case of the prosecution, while the police party was on patrolling duty, a secret information was received to the effect that accused namely Amarjit Singh, Harnamjit Singh and Harpreet Singh(petitioner herein) were involved in smuggling of opium in various areas of the State of Punjab after procuring the same in large quantity from other States. Acting upon the said information, raid was conducted and a Creta car bearing registration No. DL-4CAX-2756 occupied by the aforesaid accused persons was intercepted.

Upon search of the vehicle, one plastic box containing 08 kilograms and 455 grams of opium was recovered from the conductor

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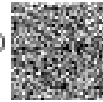
side near the feet of accused-Amarjit Singh and same was taken into possession as per law. During further search, another plastic box containing 07 kilograms and 255 grams of opium was recovered from accused Harnamjit Singh, who was sitting on the rear seat of the vehicle. The said contraband was also taken into possession in accordance with law. During further search of the vehicle, currency notes amounting to Rs.2,30,000/- were recovered from the dashboard of the car.

3. Learned counsel for the petitioner contends that no recovery has been effected from the conscious possession of the petitioner and merely because the petitioner was driving the vehicle, it cannot be presumed that he had knowledge regarding the contraband allegedly being carried by the co-accused persons in plastic boxes. It is further submitted that the petitioner has remained in custody since 12.05.2025 i.e. for the last about 11 months and 25 days and therefore deserves concession of regular bail.

4. Learned State counsel, while not disputing the custody period undergone by the petitioner, has opposed the prayer for bail and referred to the status report to submit that mobile location details reveal that all the accused persons, including present petitioner, had been visiting the State of Assam from where the contraband was allegedly procured.

5. I have heard learned counsel for the parties and have gone through the paper-book.

6. Recovery involved in the present case is of commercial quantity i.e. more than 15 kilograms of opium and therefore the rigours of

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Section 37 of the NDPS Act are clearly attracted. At this stage, this Court cannot ignore the fact that the petitioner was driving the vehicle from which huge quantity of contraband was recovered and substantial cash amount was also recovered from the dashboard of the said vehicle. Prima facie, the material collected during investigation, including the mobile location details, indicates involvement of the petitioner in the alleged offence.

This Court does not find any ground at this stage to record satisfaction that the petitioner is not guilty of the alleged offence or that he is not likely to commit any offence while on bail, as contemplated under Section 37 of the NDPS Act.

Considering the gravity and seriousness of the allegations and the nature of recovery effected in the present case, no case for grant of regular bail is made out. Consequently, present petition is hereby dismissed.

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.

(SANJAY VASHISTH)
JUDGE

May 14, 2026
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**