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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

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CRM-M-69908-2025

Date of decision: 24<sup>th</sup> February, 2026

Sukhwinder Singh @ Goga

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Jatinder Kumar Kansal, Advocate with  
Mr. Mahtab Singh Johal, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

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**MANISHA BATRA, J (ORAL):-**

Prayer in this petition, filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of regular bail  
to the petitioner in FIR No. 0048 dated 26.01.2025, registered under Sections  
22(c), 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985  
(*for short 'NDPS Act'*) and 238 of Bharatiya Nyaya Sanhita, 2023 (*for short*  
'BNS') at Police Station Gharaunda, District Karnal.

2. As per the allegations, on 26.01.2025, on receipt of an  
information about one abandoned verna car lying parked in the rice mill, a  
police party reached there and the aforementioned car which was bearing  
registration No. PB-70-H-7686 was found lying parked. The key of the car  
inside it. On conducting search of the car, recovery of 29400 tablets of Lomotil  
weighing 02 kg. 645 grams and 4920 capsules of Tramadol HCL weighing 03  
kg. 247 grams was effected from the same. During the course of investigation,

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co-accused Ratan Singh @ Rinku was arrested on 28.01.2025, who, while admitting his involvement in drugs peddling, disclosed that earlier, he used to purchase intoxicating drugs from one Sonu but later on, he started purchasing the drugs from Manjeet, as he was selling the same at a cheaper price. He also disclosed that for receiving consignment of drugs, he used to come to Gharaunda bus stand in the aforesaid car, which belonged to his friend Sukhwinder @ Goga i.e. the present petitioner and on the fateful day, he along with the present petitioner and one Dalbir Singh had come to Gharaunda in the aforesaid car. They met the accused Manjeet over there, who supplied them intoxicating drugs. When they left after receiving the drugs from the accused Manjeet, after some time, they alighted from the car for urinating but in the meantime, a police car came there, on which, they ran away abandoning the car. On the basis of this disclosure statement of accused Rattan Singh, the present petitioner and accused Dalbir were nominated as additional accused. The petitioner was arrested on 17.04.2025. He too suffered disclosure statement admitting his involvement in the crime. The mobile phone used by him had been destroyed to cause disappearance of evidence of offence. The accused Manjeet and subsequently nominated accused Satish were also arrested. Investigation now stands completed and the petitioner along with co-accused, is facing trial for commission of aforementioned offences.

3. 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 Rattan Singh @ Rinku which cannot be considered to be admissible in evidence as against him. He was not named in the FIR and has been arrested

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three months after the registration of FIR. There is no detail of any call record between the petitioner and himself. He had no connection with the co-accused Manjeet who is alleged to be the supplier of the contraband. He has clean antecedents. His further incarceration would not serve any useful purpose. The ingredients of Section 37 of NDPS Act are not attracted against him. It is, therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel while relying upon the status report has argued that there are serious and specific allegations against the petitioner. In fact, it was his vehicle from which the recovery of the contraband was effected by the police. On the fateful day also, he was present in the vehicle but had managed to flee. He along with Rattan Singh had received supply of contraband from accused Manjeet on the day of occurrence. The petitioner has not been able to explain the presence of commercial quantity of contraband in his vehicle. The bar under Section 37 of NDPS Act has been fully attracted against him. The call details record of the mobile phones of the petitioner and co-accused have been obtained which show that conversation had been taking place between them on or before the day of incident. There are chances of petitioner's committing similar offences or absconding, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner has been nominated in this case on the basis of disclosure suffered by the co-accused Rattan Singh @ Rinku. Recovery of

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commercial quantity of intoxicating tablets had been effected from the car registered in the name of the petitioner. As per the allegations, he along with the co-accused was indulged in the business of sale/purchase of intoxicating drugs which were supplied by Rattan Singh. The allegations against the petitioner are serious in nature. He has not been able to explain circumstances under which recovery had been effected from the vehicle. Trial has commenced. There is no material on record at this stage to show that there would be any undue delay in conclusion of the same. Taking into consideration, the nature of the allegations as levelled against the petitioner, the part exactly attributed to him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]  
JUDGE

24<sup>th</sup> February, 2026  
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |