

2025:PHHC:125626



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

**CRM-M No.25563 of 2025  
Date of Decision: 12.09.2025  
Reserved on: 28.08.2025**

Satish Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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

Present: Mr. Vikramjeet Singh, Advocate,  
for the petitioner.

Ms. Himani Arora, DAG, Haryana,  
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:-

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Sections</b>
288	23.07.2024	City Mandi Dabwali, District Sirsa	15 (c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act')

2. As per the allegations, on 23.07.2024, a secret information was received that the present petitioner along with the co-accused Gauri

2025:PHHC:125626



Shankar, Navpreet Singh, Narender Kumar and Dinesh Kumar was travelling in a Verna car bearing registration No.HR-24R-4292 and another car of I-20 make bearing registration No.DL-8CT-0615 was following that car. It was informed that the petitioner and the other persons named in these vehicles were carrying huge quantity of poppy husk and were to go to Punjab from the jurisdiction of Police Station City Dabwali. Believing the secret information to be true, a barricade was immediately laid after sending information to the police station to register FIR. Sometime thereafter, the above mentioned Verna car was found coming from Chautala road side. Signal was given to stop the vehicle. The petitioner along with the co-accused Navpreet Singh and Narender Kumar was found sitting in the same. The accused Narender Kumar tried to escape but was overpowered by the police official. In the meanwhile, the above named I-20 make car was also seen coming. The driver thereof tried to avert the police party by turning the car but the ignition of the vehicle went off. The occupants of the car were overpowered and they disclosed their names as Gauri Shankar and Dinesh Kumar. After completion of usual formalities, firstly personal search of all the apprehended persons was conducted and thereafter the vehicles were checked. Bags containing poppy husk were found kept in the I-20 vehicle which was occupied by co-accused Dinesh Kumar and Gauri Shankar. On weighing, it was found to be of 80 kg. The same was taken into custody. The accused were also formally arrested. Investigation now stands completed and challan has been presented.

2025.PHHC:125626



3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No recovery was effected from the car which he was alleged to be driving. The recovery effected from the I-20 car has been falsely planted upon him though he had nothing to do with that vehicle. Infact, the petitioner had been summoned at CIA Staff, Dabwali and he along with the co-accused Navpreet Singh and Narender Kumar were falsely involved in this case. Both these accused have been extended benefit of interim regular bail by a Coordinate Bench of this Court. The trial will take considerable time to conclude as the witnesses are yet to be examined. The petitioner has clean antecedents. No recovery has been effected from the vehicle occupied by him. No useful purpose would be served by his further incarceration. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. By refuting the contentions as raised by the petitioner's counsel, it is argued by learned Deputy Advocate General, Haryana that commercial quantity of contraband i.e. 80 kg of poppy husk was recovered from the conscious possession of the present petitioner and the co-accused. The petitioner along with the co-accused was apprehended from the spot almost at the same time. The accused Gauri Shankar was the registered owner of the vehicle which was driven by the present petitioner and in connivance with the present petitioner, he was travelling in I-20 car from which the recovery was effected. The allegations reveal active complicity of the petitioner in the subject crime. There are chances of his absconding, if extended benefit of bail. It is, therefore, urged

2025:PHHC:125626



that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to be found in possession of 80 kgs. of Doda Post, which is of commercial quantity. However, recovery was allegedly effected from I-20 car which was occupied by the co-accused Dinesh Kumar and Gauri Shankar and not by the present petitioner. No contraband was recovered from the Verna car driven by the petitioner at the relevant time. It is a matter of evidence which can be decided only on thorough assessment of the evidence produced on record that the petitioner was involved in carrying of the contraband which was recovered from another car make I-20 on the same day from the conscious possession of the co-accused Dinesh Kumar and Gauri Shankar. The co-accused Navpreet Singh and Narender Kumar who were apprehended from the same vehicle which the petitioner was driving, have been extended benefit of interim regular bail by a Coordinate Bench of this Court. The petitioner does not have any criminal antecedents. Keeping in view the facts and circumstances as enumerated above, the antecedents of the petitioner and the period of his incarceration, this Court is of the considered opinion that the petitioner has made out a case for release on bail in his favour. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove

2025:PHHC:125626



shall not be construed as an expression of opinion on the merits of the case.

12.09.2025

manju

**(MANISHA BATRA)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No