

2025:PHHC:077573



208.

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

**CRM-M-3698-2025**

Date of decision: 01.07.2025

Manpreet Singh @ Mani

.... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Parminder Singh Sekhon, Advocate, for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. Prayer in this petition filed under Section 439 of Cr.P.C./483 of BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.149, dated 02.12.2022, under Sections 15, 25, 29 of NDPS Act, 1985 and Section 473 of IPC, registered at Police Station Barnala, District Barnala.

2. In compliance of order dated 27.05.2025, learned State counsel has filed status report in the form of Affidavit dated 30.06.2025 by Satvir Singh, Deputy Superintendent of Police, Sub Division Barnala, District Barnala, on behalf of respondent-State, along with FSL report as Annexure R-1, in Court today, which is taken on record subject to all just exceptions.

3. Learned counsel for the petitioner has vehemently submitted that the petitioner has been falsely implicated in the instant case and is

alleged to have been involved in transporting approximately 1800 kgs of poppy husk along with co-accused, Beant Singh. It has been argued by the learned counsel that the petitioner was apprehended on suspicion only because he happened to be standing next to the vehicle in which the alleged contraband had been loaded. Learned counsel has submitted that other than the petitioner having been found next to the vehicle in question, no incriminating evidence had been collected by the Investigating Agency to link the petitioner with the alleged recovery of 1800 kgs of poppy husk.

4. Learned counsel has further submitted that the petitioner, who has no previous criminal antecedents, has been in custody since 02.12.2022; the challan was presented on 24.05.2023, however, the trial has been progressing at a sluggish pace, with only 05 out of 19 cited prosecution witnesses having been examined to-date, and, therefore, further incarceration of the petitioner in the circumstances would serve no useful purpose. A prayer has, therefore, been made for enlarging the petitioner on regular bail.

5. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has submitted that the petitioner along with co-accused was found present next to a truck in which a huge quantity of poppy husk (1800 kgs) had been loaded; the truck was parked on the highway and both the petitioner and the co-accused were standing near the vehicle in suspicious circumstances which led to both of them being questioned and ultimately, the recovery of huge quantity of

poppy husk was effected after due compliance of all the mandatory provisions of the NDPS Act. It has been submitted that therefore there is no question of the petitioner's false implication as he appears to be a vital cog in a larger, organized drug trafficking syndicate operating in a systematic and concealed manner. Learned State counsel, while drawing the attention of this Court to the affidavit, has submitted that during the investigation, it emerged that the petitioner, in active collusion with co-accused, Beant Singh, deliberately forged the number plate of truck bearing registration No.HR-55U-3102 to facilitate the illegal transportation of narcotic contraband. Still further, learned State counsel has disputed the submissions made by the counsel for the petitioner that as on date, only 08 prosecution witnesses have been examined. While further drawing the attention of this Court to the affidavit which has been filed in the Court today, learned State counsel has submitted that out of 19 prosecution witnesses, 08 have already been examined in full, 03 have been given up, and 02 have been partly examined, the case was adjourned to 02.07.2025 on the previous date of hearing before the Trial Court, at the instance of the defence counsel. Learned State counsel has further submitted that the trial is proceeding at a considerably good pace and the prosecution shall ensure that there witnesses come present and get their evidence recorded without fail. A prayer has, therefore, been made that the instant petition be dismissed.

6. I have heard learned counsel for the parties and perused the material placed on record.

7. The alleged offence against the petitioner is grave, involving recovery of 1800 kgs of poppy husk – far exceeding the threshold of “commercial quantity” under the NDPS Act. As such, the rigors of Section 37 (1-B) of the Act are attracted.

8. Further, the allegations against the petitioner are not vague or peripheral. Rather, the petitioner appears to be an active player in the trafficking operation. The alleged manipulation of vehicle registration and the sheer magnitude of the recovery prima facie strongly suggest deliberate, informed and organized participation in drug smuggling for commercial gain.

9. It is also pertinent to note that the trial is at an advanced stage of hearing. Contrary to the assertions made by the learned counsel for the petitioner, the affidavit filed by the State counsel reveals that 08 witnesses have been fully examined, 03 have been given up, and 02 more have been partly examined. The next date of hearing is 02.07.2025, and that too at the instance of the defence. Hence, it cannot be said that the trial is at a nascent or stagnant stage. At the current pace, the trial is expected to conclude within a reasonable time frame.

10. Given the seriousness of allegations and the organized nature of the alleged syndicate, this Court does not deem it fit to accept the prayer of the petitioner at this stage.

11. Present petition stands dismissed accordingly.

12. It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

13. However, keeping in view the custody period of the petitioner, the Trial Court shall ensure expeditious conclusion of the trial at the earliest preferably within the next three months. The prosecution shall also ensure that its witnesses appear and get their evidence recorded on each and every date of hearing. It goes without saying that the defence shall also cooperate in the expeditious conclusion of the trial.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**July 01, 2025**  
sanjeev

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No