

CRM-M No.25013 of 2025  
CRM-M No.35179 of 2025  
CRM-M No.48582 of 2025

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

**CRM-M No.25013 of 2025**

**Gurvinder Singh @ Pappa**

**..... Petitioner**

**versus**

**State of Haryana**

**..... Respondent**

**CRM-M No.35179 of 2025**

**Sukhdeep Singh @ Sukhi**

**..... Petitioner**

**versus**

**State of Haryana**

**..... Respondent**

**CRM-M No.48582 of 2025**

**Satnam Singh**

**..... Petitioner**

**versus**

**State of Haryana**

**..... Respondent**

**Date of Decision: 09.09.2025**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present: Mr. Bikramjeet Singh Jatana, Advocate  
for the petitioner in CRM-M-25013-2025.

Dr. Anmol Rattan S. Sidhu, Senior Advocate (through VC) with  
Mr. Shiv Kumar Sharma, Advocate and  
for the petitioner in CRM-M-35179-2025.

Mr. S. P. Arora, Advocate and  
Mr. Himanshu Arora, Advocate  
for the petitioner in CRM-M-48582-2025.

Ms. Diya Sodhi, Sr. DAG, Haryana.



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**RAJESH BHARDWAJ, J. (Oral)**

1. By this order, I dispose of the above mentioned three petitions arising out of the same FIR.
2. All the petitions have been filed praying for the grant of regular bail to the petitioners in case bearing FIR No.258, dated 19.10.2024, under Sections 15(c), 27(A) and 29 of NDPS Act, registered at Police Station Sadar Ratia, District Fatehabad.
3. Succinctly the facts of the case are that the police party, while on patrolling on 19.10.2024, received a secret information to the effect that Satnam Singh (petitioner in CRM-M-48582-2025) was involved in selling of Poppy Husk. It was informed that he keeps Poppy Husk in a tubewell room situated in his field and if the raid is conducted, he could be apprehended along with the contraband. On receiving the secret information, the raiding party was constituted and the raid was conducted at the place disclosed. A person was found sitting in the room, however he was apprehended. On asking, he disclosed his name to be Satnam Singh (petitioner in CRM-M-48582-2025). He was suspected to be in conscious possession of some contraband in the room and thus the search of the same was conducted. On conducting the search, 06 plastic bags of Poppy Husk, each weighing 20 Kg 355 Grams, were recovered and thus, the total Poppy Husk weighing 121 Kg 310 grams was recovered. He failed to produce any licence regarding the conscious possession of the same, thus, the FIR was registered and he was



arrested on the spot. On registration of the FIR, the investigation commenced. During the investigation, Satnam Singh made a disclosure statement about the co-accused, i.e. Gurvinder Singh @ Pappa (petitioner in CRM-M-25013-2025) and Sukhdeep Singh @ Sukhi (petitioner in CRM-M-35179-2025) and thus, both were also arrayed as an accused in the present case. Resultantly both were arrested on 12.11.2024 and 29.12.2024. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioners approached the Court of learned Additional Sessions Judge/learned Special Judge, Fast Track under NDPS Act, Fatehabad praying for grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned trial Court, dismissed all the bail applications filed by the petitioners vide orders dated 02.01.2025, 13.03.2025 and 22.07.2025, respectively. Being aggrieved, the petitioner, namely, Sukhdeep Singh @ Sukhi, earlier approached this Court by way of filing CRM-M-11539-2025 praying for the grant of bail, however, the same was allowed to be dismissed as withdrawn vide order dated 06.03.2025. Hence being aggrieved, all the petitioners are before this Court by way of filing the present petitions praying for the grant of bail.

4. Learned counsel for the petitioner, namely, Satnam Singh (petitioner in CRM-M-48582-2025) has submitted that the petitioner has been falsely implicated in the present case. He has submitted that admittedly the case of the prosecution is based on the secret information but there is a blatant violation of the mandatory provisions of Section 42 of NDPS Act. He has submitted that the tubewell room, from which the alleged recovery has been



effected, is not owned by the petitioner. To buttress his arguments, he has further submitted that the petitioner is 90% handicap and he has no criminal antecedents as he has never been involved in any other case except the present case. He has submitted that false implication of the petitioner is writ large.

5. Learned counsel for the petitioners, namely, Gurvinder Singh @ Pappa and Sukhdeep Singh @ Sukhi (petitioners in CRM-M-25013-2025 and CRM-M-35179-2025) have submitted that the petitioners are neither named in the FIR nor any recovery has been effected from them, however they have been implicated in the present case on the basis of disclosure statement of co-accused, which is not even an admissible evidence. Learned counsel for the petitioner has submitted that the petitioner, namely, Sukhdeep Singh @ Sukhi (in CRM-M-35179-2025) has been falsely implicated in other cases, however he is on bail in all the cases.

6. Learned counsel for the petitioners have submitted that in the facts and circumstances, the petitioners deserve to be granted bail.

7. Status report dated 08.09.2025 in CRM-M-48582-2025 by way of an affidavit of Nar Singh, HPS, Deputy Superintendent of Police, Ratia, District Fatehabad on behalf of the respondent-State has been filed by learned State counsel today in the Court and the same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

8. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by learned counsel for the petitioners. She has submitted that Satnam Singh (petitioner in CRM-M-48582-2025) was specifically named in the FIR and on conducting the raid, the contraband



weighing 121 Kg 310 grams of Poppy Husk was recovered, which is a commercial quantity, and thus, the provisions of Section 37 of NDPS Act are attracted. She has submitted that complicity of both the co-accused-petitioners, namely, Gurvinder Singh @ Pappa and Sukhdeep Singh @ Sukhi (in CRM-M-25013-2025 and CRM-M-35179-2025, respectively) was duly established and thus, they have been rightly arrayed as an accused in the present case. She has submitted that on completion of the investigation, the challan has been presented against them. She, on instructions, has submitted that out of total 26 prosecution witnesses, only 01 witness has been examined so far. She has produced custody certificates of all the petitioners today in the Court and the same are taken on record.

9. Heard.

10. On hearing learned counsel for the parties and perusing the record, it has transpired that the FIR in the present case was registered on the basis of secret information. In the secret information, name of Satnam Singh (petitioner in CRM-M-48582-2025) was only mentioned, however rest of two accused-petitioners, namely Gurvinder Singh @ Pappa and Sukhdeep Singh @ Sukhi (in CRM-M-25013-2025 and CRM-M-35179-2025) are on disclosure statement of co-accused, Satnam Singh. Learned counsel for the petitioner, namely, Satnam Singh (in CRM-M-48582-2025) has submitted before this Court that the petitioner is a handicapped person. The recovery effected in this case weighing 121 Kg 310 grams is found to be commercial in nature. Out of total 26 prosecution witnesses, only 01 witness has been examined so far. Custody certificates produced would show that the



petitioner, namely, Gurvinder Singh @ Pappa (in CRM-M-25013-2025) has completed incarceration of 08 months and 09 days, Sukhdeep Singh @ Sukhi (in CRM-M-35179-2025) has completed incarceration of 09 months and 21 days and Satnam Singh (in CRM-M-48582-2025) has completed incarceration of 10 months and 18 days as on 08.09.2025. It further reflects that the petitioners, namely, Gurvinder Singh @ Pappa and Satnam Singh are not involved in any other case, whereas the petitioner, namely, Sukhdeep Singh @ Sukhi is involved in other cases, however he is on bail in all the cases.

11. In view of the facts and circumstances of the present case, this Court cannot ignore the fact that the speedy trial is the fundamental right of every accused. As held by the Hon'ble Supreme Court in *Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260*, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

*19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a*



*person accused of offences such as those enacted under Section 37 of the NDPS Act.*

20. xxxxx

21. ....it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

22. xxxxx

23. There is a further danger of the prisoner turning to crime, “as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal”<sup>22</sup> (also see Donald Clemmer’s ‘The Prison Community’ published in 1940<sup>23</sup>). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.”

12. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case.

13. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsels for the petitioners succeed in making out a case for the grant of bail. Accordingly, all

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the petitions are allowed and the petitioners, namely, Gurvinder Singh @ Pappa, Sukhdeep Singh @ Sukhi and Satnam Singh are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

**09.09.2025**

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Whether speaking/reasoned  
Whether reportable

**(RAJESH BHARDWAJ)**  
**JUDGE**

: Yes/No

: Yes/No