

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 1819/2026

Harpreet Singh S/o Inder Singh, Aged About 44 Years, Resident
Of Sovan Majra Police Station Nalagarh District Solan (H.P.)
(At Present Lodged In Distict Jail Churu)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Kailash Khilery
For Respondent(s)	:	Mr. Narendra Gehlot, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

27/03/2026

This second application for bail under Section 483 of BNSS (439 Cr.P.C.) has been filed by the petitioner who has been arrested in connection with F.I.R. No.102/2024 registered at Police Station Dudhwakhara, District Churu, for offences under Sections 8/15 and 29 of the NDPS Act.

Learned counsel for the petitioner submitted that, as per the prosecution case, the petitioner was allegedly escorting an Innova vehicle carrying contraband (poppy husk) weighing 125 kg on 25.09.2024. It is further submitted that no contraband was recovered from the conscious possession of the petitioner, and he has been implicated solely on the basis of the disclosure statement of the co-accused, namely Vijendra Singh, who was the driver of the offending vehicle. It is also contended that, apart from the said disclosure statement, there is no other direct or

circumstantial evidence available on record connecting the petitioner with the alleged offence.

Lastly, learned counsel submitted that the petitioner is in judicial custody, the investigation against him has already been completed, and the trial is likely to take considerable time. It was, therefore, prayed that the benefit of bail be granted to the petitioner.

Per contra, learned Public Prosecutor opposed the bail application and submitted that the material available on record indicates that the petitioner was in contact with the co-accused through WhatsApp calls and was involved in transporting the contraband recovered in commercial quantity in the offending vehicle. It is, therefore, submitted that, considering the gravity of the allegations, the petitioner does not deserve to be enlarged on bail.

Heard learned counsel for the petitioner and learned Public Prosecutor, and perused the material available on record.

Having considered the rival submissions and the facts and circumstances of the case, this Court prima facie finds that the petitioner is in judicial custody since 25.09.2024 and has been implicated in the present case primarily on the basis of the disclosure statement of co-accused Vijendra Singh. Although, as per the prosecution, there were WhatsApp calls between the petitioner and the co-accused, in the absence of any transcript or substantive material indicating the nature of such conversations, the same cannot, at this stage, be treated as sufficient material to establish the petitioner's involvement in the commission of the alleged offence. The learned Public Prosecutor has also not

expressed any specific apprehension that the petitioner is likely to abscond or indulge in similar offences if released on bail.

In the opinion of this Court, the twin conditions envisaged under Section 37 of the NDPS Act stand satisfied in the facts of the present case.

Accordingly, without expressing any opinion on the merits of the case, this Court is inclined to enlarge the petitioner on bail.

Consequently, the second bail application under Section 483 of BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner **Harpreet Singh S/o Inder Singh** arrested in connection with F.I.R. No.102/2024 registered at Police Station Dudhwakhara, District Churu, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.1,00,000/- and two sureties of Rs.50,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

(KULDEEP MATHUR),J