

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-28733-2019 (O&M)

Date of Decision:- 10.1.2020

Karanbir Singh @ MP

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Kahlon, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Karanbir Singh @ MP has approached this Court seeking grant of regular bail in a case registered vide FIR No.01, dated 3.1.2018, registered at Police Station State Special Operation Cell, Fazilka, District Fazilka, under Sections 66-D, 66-F of I.T. Act, Section 135 of Customs Act, 1962, Section 18/21/29 of NDPS Act, Section 25 of Arms Act, Section 3 of Official Secret Act, 1923 and Section 489-A, 489-B, 489-C IPC.

2. As per the FIR, a secret information was received by the police to the effect that Nishan Singh, Karanbir Singh @ MP (petitioner), Harjinder Singh and Prem Singh are known to each other and they indulge in smuggling of Heroin, Opium, illegal arms and ammunition, fake Indian currency and gold from Pakistan into India and in lieu thereof they provide sensitive information to the secret agencies of Pakistan. It is further alleged therein that even at that moment the said persons were in possession of huge quantity of drugs, arms, fake Indian currency and gold.
3. Pursuant to receipt of the aforesaid information, raid was conducted and Prem Singh was apprehended from his house who was found in possession of 3 KG of 'Heroin'.
4. It is further the case of prosecution that during the course of interrogation he disclosed that he had been smuggling drugs, arms etc. in association with his co-accused including the present petitioner.
5. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that even as per the case of prosecution nothing was recovered from the petitioner and the alleged recovery of 3 KG of 'Heroin' was recovered from co-accused Prem Singh.
6. The learned State counsel while opposing the petition has submitted that since there was specific secret information against the accused and that the petitioner is also involved in 2 more cases registered under the NDPS Act and that co-accused has disclosed about the

involvement of the present petitioner, no case for grant of bail is made out.

7. I have considered rival submissions addressed before this Court. Keeping in view the fact that no recovery of contraband was effected from the petitioner and that he is mainly sought to be nominated as an accused on the basis of disclosure statement made by co-accused as well as secret information, the admissibility and veracity of which would be debatable and also that the petitioner has been behind bars since the last about 2 years and till date only 3 out of the cited 15 PWs have been examined, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner- Karanbir Singh @ MP is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

January 10, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No