

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

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CRM-M-4815-2022 (O&M)

Date of Decision: 20.04.2022

KARANDEEP SINGH @ KARAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ranjodh Singh Sidhu, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this 2nd petition, the petitioner seeks regular bail in case bearing FIR No.152 dated 02.09.2021, registered under Sections 21(c), 25 and 29 of the NDPS Act, 1985 and Section 25 of the Arms Act, at Police Station Special Task Force Wing (City Tarn Taran), District Special Task Force (Tarn Taran), Punjab.

Status report by way of an affidavit dated 21.03.2022 of the Deputy Superintendent of Police, STF, Border Range, Amritsar, filed on behalf of the respondent-State, in the Court, is taken on record.

Learned counsel for the petitioner submits that the petitioner has not been named in the present FIR; that the petitioner has been indicted in the present case, on the basis of the disclosure statement of co-accused, namely, Vikramjit Singh @ Vicky; that the petitioner has been in custody since 02.09.2021; that, after the arrest of the petitioner, the alleged recovery of 50 grams heroin has been effected from the family

house of the petitioner, which is non-commercial quantity and that there is no other case registered and/or pending against the petitioner.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner along with the co-accused are involved in smuggling of Heroin and that two of the co-accused, were arrested at the spot, from whom commercial quantity was recovered. He further submits that charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 02.09.2021. The petitioner has not been named in the FIR. The petitioner was indicted on the basis of the disclosure statement of the co-accused. There is no other case registered and/or pending against the petitioner. Recovery effected from the petitioner was non-commercial quantity. Charges are yet to be framed and prosecution evidence is to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of both the sides, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

20.04.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*