

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 226

Criminal Miscellaneous No.M-8311 of 2025**Date of Decision: May 19, 2025**Karandeep Singh

..... PETITIONER(S)

*VERSUS*State of Punjab

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**PRESENT:** - Mr. Hitesh Chopra, Advocate and Mr. Amit Kumar,
Advocate, for the petitioner.

Mr. T.P.S. Walia, AAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in case FIR No.98 dated 20.08.2020 under Sections 21 and 29 of Narcotics Drugs and Psychotropic Substances Act, 1985, registered at Police Station, Special Task Force, District Mohali.

2. Learned State counsel has filed custody certificate dated 17.05.2025 of the petitioner. The same is taken on record. Registry to do the needful.

3. Allegations are that petitioner in criminal conspiracy with co-accused Sukhwinder Singh @ Kaka and Mandeep Singh smuggled alleged contraband from Pakistan.

4. Learned counsel for the petitioner contends that petitioner is in custody since 20.08.2020 and there is no recovery of alleged contraband effected from him. Further contends that main accused i.e. Sukhwinder Singh @ Kaka, from whom recovery of 4 kg 290 grams of Heroine (commercial quantity) was effected, has already been granted the concession of bail



pending trial by the Co-ordinate Bench on 16.07.2024 (P-4) and that order has not been challenged by the State of Punjab. Also contends that there are total 18 prosecution witnesses and out of them 14 have been examined so far. Lastly contends that trial is likely to take sufficient long time, hence no useful purpose would be served by keeping the petitioner behind bars any further.

5. Learned State counsel on instructions is not able to dispute the above factual position, but opposed the prayer on the ground that allegations against the petitioner are serious in nature.

6. Heard learned counsel for the parties and perused the paper-book.

7. Concededly, petitioner is in custody since 20.08.2020 and no recovery has been effected from him. Main accused-Sukhwinder Singh @ Kaka, from whom recovery of alleged contraband was effected has already been granted the concession of bail pending trial by the Co-ordinate Bench vide order dated 16.07.2024 (P-4). Thus, there is no justification to deny the concession of bail pending trial to the petitioner.

8. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations be not construed as an expression of opinion on the merits of the case.



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11. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

(Mahabir Singh Sindhu)
Judge

May 19, 2025

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Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No