



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

212

CRM-M-11566-2025  
Decided on : 02.09.2025

Karamjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Naresh Kumar Jandoli , Advocate  
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG Punjab.

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SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of concession of bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

| Name of the Petitioner(s) | FIR No. | Date       | Section(s)                                                         | Police Station  | District   |
|---------------------------|---------|------------|--------------------------------------------------------------------|-----------------|------------|
| Karamjit Singh            | 14      | 22.01.2023 | 22 & 61 of NDPS Act, 1985 (later added offence u/S 29 of NDPS Act) | City Hoshiarpur | Hoshiarpur |

2. In the present case, there is recovery of 560 capsules in “SpasX Excel” with a salt of Tramadol weighing 306.52 grams from the main accused, namely Vikram Pal and Sunny Kumar. Subsequently, on the basis of disclosure statement of the said accused, the petitioner was also involved in the case with the allegation that, it is the petitioner who supplied the recovered capsules to the main accused and therefore, Section 29 of the NDPS Act was attracted.



3. Learned counsel for the petitioner contends that except of the disclosure statement of the co-accused, no other evidence is collected by the prosecution during the course of investigation and it would be burdened upon the prosecution to prove the charges against the petitioner if same are based on the disclosure statement only.

4. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 01.09.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

5. As per the custody certificate, in the present case, petitioner has already undergone 08 months and 16 days period inside jail and is accused in one more case i.e. FIR No.288/2024 dated 21.09.2024 under Sections 22, 29-61-85 of NDPS Act, 1985 registered at Police Station City Hoshiarpur, District Hoshiarpur

6. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that the commercial quantity has been recovered from the main accused, Vikram Pal and Sunny Kumar, therefore, no leniency can be taken in view of the plea of the petitioner for grant of concession of bail. He further submits that petitioner is an actual accused, initially was in possession of the drugs and need of earning money and the same was supplied to the other main accused. Thus, prays for dismissal of the petition.

7. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner by observing that it is only the recovery of the capsules. The said recovery has not been effected from the petitioner but from the main accused, and the same is still to be established

**CRM-M-11566-2025****-3-**

by the prosecution during course of trial as contended by the petitioner, as of now the prosecution is relying upon the disclosure statement only. Therefore, personal liberty of the petitioner cannot be curtailed for an indefinite period.

8. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. Petition stands disposed of.

02.09.2025  
*NainaRajput*

**(SANJAY VASHISTH)**  
**JUDGE**

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**