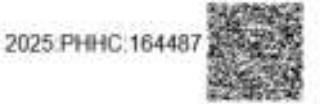


CRM-M-12939-2025
CRM-M-27166-2025
CRM-M-34198-2025
CRM-M-41623-2025



240+242+246+256 (04 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-12939-2025

Gagandeep Singh @ Vadda DeepPetitioner

versus

State of Punjab Respondent

2. CRM-M-27166-2025

Karanveer Singh @ Rubal @ Karanveer Singh SandhuPetitioner

versus

State of Punjab Respondent

3. CRM-M-34198-2025

Deepu Kumar @ Deepak Kumar @ Chhota DeepuPetitioner

versus

State of Punjab Respondent

4. CRM-M-41623-2025

Ravi KumarPetitioner

versus

State of Punjab Respondent

Date of decision : 27.11.2025



CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Munish Garg, Advocate for the petitioner(s)
in CRM-M Nos.12939 and 41623 of 2025.

Mr. L.S. Sekhon, Advocate for the petitioner(s)
in CRM-M Nos.27166 and 34198 of 2025.

Mr. Raj Karan Singh, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of abovesaid four petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.439 dated 04.10.2024, under Sections 111(1), 125, 351(1), 191(3) and 190 of BNS; Sections 25/54/59 of Arms Act and Sections 21/22/61/85 of NDPS Act, registered at Police Station City Barnala, District Barnala.

3. Succinctly, the facts of the present case are that the police party, while on patrolling on 04.10.2024, received a secret information to the effect that Karanveer Singh @ Rubal (petitioner in CRM-M-27166-2025) along with his companion namely Amanpreet Singh @ Amna, Rohit, Meet, Vadda Deepu (petitioner in CRM-M-12939-2025), Chhota Deepu (petitioner in CRM-M-34198-2025), Jassi @ Been, Bullet, Ravi (petitioner in CRM-M-41623-2025), Satwinder Singh @ Chhatha, Kuldeep Singh, Nirmaljit Singh and some more unknown persons were going in their vehicle and had fixed their time to quarrel. It was informed that they all had alighted along with lethal weapons and started quarreling with each other. They were habitual offenders and they used to supply Chitta in the city of Barnala and neighbourhood villages and in case the raid is conducted, they could be arrested along with the contraband. On



receiving the secret information, raiding party was constituted and it reached the place as disclosed. On reaching, Karanveer Singh @ Rubal, Gagandeep Singh @ Vadda Deep and Deepu Kumar @ Deepak Kumar @ Chota Deepu, were arrested and rest of the accused, as mentioned in the secret information, however, managed to escape. Ravi Kumar (petitioner in CRM-M-41623-2025) could not be arrested on spot, however, later on arrested on 05.06.2025. On registration of FIR, investigation commenced. During investigation, on the disclosure statement of Karanveer Singh @ Rubal, 25 tablets of Etizolam from his possession, 50 tablets of Etizolam from Chota Deepu and 40 tablets of Etizolam from Vadda Deep were recovered. The samples taken were sent to the FSL. On receipt of FSL report, challan was presented and on framing of charges, the trial commenced. However, as petitioner-Ravi Kumar was arrested subsequently in June, 2025, *qua* him, the case is under investigation. The petitioners approached the Learned Judge, Special Court, Barnala praying for grant of bail, however, finding no merit, their applications were declined after hearing both the sides by Learned Judge, Special Court, Barnala vide orders dated 18.12.2024, 06.02.2025, 26.11.2024 and 21.07.2025, respectively. Aggrieved by the same, petitioners are before this Court by way of filing of present petitions for grant of bail.

3. Learned counsel for the petitioners have vehemently contended that the petitioners have been falsely implicated in the present case. It is submitted that admittedly the case of the prosecution is based on the secret information, however, there is blatant violation of provisions of Section 42 of NDPS Act. It is submitted that the alleged recovery has been effected from the disclosure of the co-accused, however, no independent



witness was joined by the investigating agency. He submits that the compliance of Section 50 of NDPS Act, was mandatory however, there is violation of the same as well. Learned counsel for petitioner-Ravi Kumar has submitted that neither any contraband is recovered from the petitioner nor any weapon. He submits that similarly situated co-accused have already been granted bail by learned trial Court. It is submitted that though the petitioners have been prosecuted in other cases, however, they are on bail. It is submitted that petitioners are behind bars since the date of their arrest, however, till date there is no progress in the trial and thus, in the facts and circumstances of the case, petitioners deserve to be granted bail.

5. Learned State counsel has opposed the submissions made by the counsel for the petitioners and submits that the petitioners were specifically named in the secret information. He submits that on due compliance of provisions of Sections 42 and 50 of NDPS Act, the recoveries have been effected. He submits that the contraband recovered from 03 petitioners, namely, Karanveer Singh @ Rubal, Chota Deepu and Gagandeep Singh @ Vadda Deep is of 4.8 grams, 9.75 grams and 7.84 grams of Etizolam, respectively, which is a commercial quantity and thus, provisions of Section 37 of NDPS Act are attracted and hence, the petitioners do not deserve the concession of bail. He submits that as the case is under investigation *qua* petitioner-Ravi Kumar, thus, no case for grant of bail is made out against him, as well. He has produced the custody certificates of the petitioners on record.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is based on the secret



information. On the spot, only 05 accused were arrested, out of which, the recoveries have been effected from 03 accused i.e. Karanveer Singh @ Rubal, Chota Deepu and Gagandeep Singh @ Vadda Deep, on the disclosure statement. *Qua* 03 of the petitioners, out of 21 prosecution witnesses, 03 witnesses have already been examined and 11 witnesses remained to be examined as 07 witnesses have been given up. As petitioner Ravi Kumar was arrested in June, 2025, the case is under investigation *qua* him, however, no recovery has been effected on his disclosure. As per custody certificate, petitioner-Gagandeep Singh@ Vadda Deepu has suffered an incarceration of 01 year, 01 month and 21 days as on 25.11.2025. It further reflects that he is involved in 02 other cases, however, he is on bail in those cases. Petitioner-Karanveer Singh @ Rubal has suffered incarceration of 01 year, 01 month and 21 days as on 25.11.2025. It further reflects that he is involved in 04 other cases, however he is on bail in those cases. Petitioner-Deepu Kumar @ Deepak Kumar @ Chota Deepu has suffered an incarceration of 01 year, 01 month and 21 days as on 25.11.2025. It further reflects that he is involved in 07 other cases, out of which, in 02 cases, he is on bail and in 01 case, he has been acquitted. Petitioner-Ravi Kumar has suffered an incarceration of 05 months and 20 days as on 25.11.2025. It further reflects that he is involved in 10 more cases, however, he is on bail in 06 cases.

7. In view of the facts and circumstances of the present case, this Court cannot ignore the fact that the speedy trial is the fundamental right of every accused. As held by the Hon'ble Supreme Court in **Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260**, this Court is of the opinion that the case of the petitioner is covered by the



ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

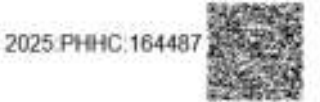
19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

20. xxxxx

21.it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

22. xxxxx

23. There is a further danger of the prisoner turning to crime, "as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal"²² (also see Donald Clemmer's 'The Prison Community' published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.



8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, all the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10. In case the bail bonds are not furnished by petitioner- Deepu Kumar @ Deepak Kumar @ Chota Deepu during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

27.11.2025
ps-I

(**RAJESH BHARDWAJ**)
JUDGE

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