



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

CRM-M-15691-2025
Date of decision: 26.03.2025

KARTAR SINGH ALIAS KALA

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Samay Singh Sandhawalia, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This is the third petition filed under Section 483 BNSS, 2023 seeking grant of regular bail to the petitioner in case bearing FIR No.34 dated 21.02.2024 registered under Sections 18(c), 29, 61, 85 of NDPS Act at Police Station Gobindgarh Mandi, District Fatehgarh Sahib. The second petition was dismissed as withdrawn on 17.12.2024 and the first petition was dismissed as withdrawn on 31.07.2024.

2. As per the prosecution version, on 21.02.2024, SI Amarjit Singh along with other police officials was present at bridge canal minor village Laadpur, in connection with checking of suspicious and bad elements. At about 8:30 PM, they spotted one Mahindra XUV 700 bearing registration No.UK-08-BD-5000 coming from Mandi Gobindgarh side. On seeing the police, the driver (petitioner herein) of the said car tried to turn and was apprehended on the basis of suspicion. Upon search of the car, one backpack was lying in the feet of co-accused Sanjay Kumar, from which, 10.500 kg of



Opium was recovered and an amount of Rs.5 lakhs was recovered from the its dashboard. Hence, the FIR (*supra*) was registered.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case and nothing has been recovered from the conscious possession of the petitioner. Further, the amount of Rs.5 lakhs has been taken away from the house of the petitioner, which was planted as a part of recovery in the car. Furthermore, challan in this case, has already been presented and the trial of the case would take long time to conclude and keeping the petitioner in custody would be violative of his fundamental rights under Article 21 of Constitution of India. He submits that the petitioner is behind the bars since 21.02.2024 and is no more required for further investigation.

4. *Per contra*, learned State counsel opposes the prayer of the petitioner on the ground that there is sufficient material available on record to indicate the complicity of the petitioner. Further, huge quantity of Opium, which falls under the ambit of commercial quantity and an amount of Rs.5 lakhs as drug money have been recovered from the conscious and exclusive possession of the petitioner. Furthermore, the petitioner is a habitual offender as he is involved in other cases also. Therefore, in view of the grave nature of the allegations, the petitioner does not deserve the concession of regular bail.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that huge quantity of contraband, falling within the ambit the commercial quantity and an amount of Rs.5 lakhs as drug money have been recovered in the present case.



6. Thus, the present petition stands dismissed, being bereft of any merit.

7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

March 26, 2025
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(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |