

2025:PHHC:083630



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

CRM M-20902-2025
Date of Decision:08.07.2025

Karan Singh @ Anmol	...Petitioner
Versus	
State of Punjab	... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.SHEKHAWAT, J.

1. The petitioner has filed the present petition under Section 483 of the B.N.S.S., 2023 with a prayer to regular bail to him in case FIR No.141 dated 12.09.2024 registered under Sections 21-C of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '**the NDPS Act**'), (Sections 27 and 29 of the NDPS Act were added lateron) at Police Station Special Task Force 79, District SAS Nagar, Mohali.

2. The FIR in the present case was wrongly registered on the basis of the statement made by ASI Major Singh, from STF, Bathinda. As per the complainant, during patrolling, on suspicion Kulveer Singh @ Keera, co-accused was searched by the police at

about 02.00 p.m. on 12.09.2024 and 265 grams of heroin was recovered from him, which he was carrying without any valid authorization.

3. Learned counsel for the petitioner contends that the petitioner was neither named in the FIR nor any averment connected him with the commission of the crime in any manner. As per the prosecution, during the course of investigation, Kulveer Singh @ Keera suffered a disclosure statement in police custody and allegedly stated that he had purchased the contraband from the present petitioner. Except the disclosure statement, there was no other evidence to connect him with the commission of the crime and such statement made by co-accused was inadmissible. He further contends that the petitioner was arrested on 13.09.2024 and is in custody since last about 10 months. Moreover, the mandatory provisions of the NDPS Act were not complied with, at the time of search and seizure.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner on the ground that the petitioner is the main accused, who had supplied the heroin to Kulveer Singh @ Keera and he was in touch with the other accused on Whatsapp.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, the co-accused, namely, Kulveer @ Keera was arrested by the police and 265 grams of heroin was recovered from him. In his disclosure statement, he had named the petitioner as his co-accused, however, the admissibility of such statement is yet to be decided by the trial Court only during the course of trial. The petitioner is in custody for the last about 10 months and *challan* has already been presented against him. Moreover, no recovery was effected from him and his custody will not serve any useful purpose.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

08.07.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No