

**CRM-M-21244 of 2025****1**

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

305**CRM-M-21244 of 2025****DATE OF DECISION :- 21.05.2025****Randeep Singh @ Rani @ Ramneek Singh @ Rammi ...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL****Present:-** Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Short report by way of affidavit dated 20.05.2025 of Kapil Kaushal, PPS, Deputy Superintendent of Police, Anti Narcotics Task Force, Border Range, Amritsar, on behalf of respondent, has been filed in Court today, which is taken on record subject to all just exceptions. A copy thereof has been supplied to the counsel opposite.

1. The petitioner is seeking the concession of bail under Section 483 BNSS in case FIR No. 147 dated 06.11.2020 under Sections 18, 21, 23, 25, 27 of Narcotic Drugs and Psychotropic Substances Act and Section 29-A of the Arms Act and Sections 420, 467, 468, 471 of IPC and offences under Sections 8, 27-A, 29, 59 of NDPS Act and Sections 25, 27 and 30 of the Arms Act and Sections 171, 212, 395, 419, 473 of IPC and Sections 48, 64 of the Punjab Police Act and Sections 7, 13(1) (A) (2) of Prevention of



Corruption Act, registered at Police Station Special Task Force, District S.A.S. Nagar, Mohali.

2. Learned counsel for the petitioner, at the outset, submitted that in the instant case the petitioner's constitutional right to speedy trial has been compromised for reasons attributable to the prosecution and prosecution alone. It has been asserted by the learned counsel that the petitioner is languishing in custody since 06.11.2020 after he was allegedly found in possession of 300 grams of heroin. Learned counsel has further submitted that the challan in the present case was presented way back on 22.04.2021, followed by framing of charges on 07.01.2022, however, it is a matter of record that as on date only 26 prosecution witnesses out of 135 cited by the prosecution have been examined, hence the possibility of the trial concluding in the near future does not arise. Learned counsel has still further submitted that the Hon'ble Supreme Court had in identical circumstances, keeping in view the long custody period of an accused, even though the recoveries allegedly effected from the accused therein, had been classified as commercial under the NDPS Act, had still been granted the concession of bail after doing away with the bar contained under Section 37 of the NDPS Act. Learned counsel has submitted that the petitioner also deserves a similar relief. Further, learned counsel in support of his submissions submits that the delay in the trial has been account of reasons not attributable to him. He has drawn the attention of this Court to the Zimni orders annexed as Annexure P-9 wherein it stands reflected that the trial has been prolonged on account of the irregular appearance of the prosecution witnesses, who in the present case are all police officials.



3. Learned State counsel while opposing the prayer and submissions made by the counsel opposite on instructions, has neither disputed the custody period of the petitioner nor has he disputed the stage of trial. Learned State counsel counsel, on instructions from SI Raj Kumar, has also not been able to contest the contents of the zimni orders which have been annexed along with the petition. However, it has been submitted by the learned State counsel that the petitioner was apprehended following a secret information leading to recovery of 300 grams of heroin which has been classified as commercial under the NDPS Act.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The possibility of the trial concluding in the near future looks bleak in view of the sluggish pace of the trial. The petitioner cannot be made to languish in custody for reasons attributable to the prosecution as the constitutional right of the petitioner to a speedy and fair trial has indeed been severally compromised. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned, who may impose any stringent conditions as it deems fit to ensure that the petitioner appears on each and every date of hearing before the trial Court. However, it is made clear that anything observed hereinabove



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shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

21.05.2025
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No