



CRM-M No. 44173-2024 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M No. 44173-2024 (O&M)
Date of Decision: 16.01.2025

Karan Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Manvinder Sidhu, Advocate for the petitioner.

Mr. Ashok Singh Chaudhry, Addl.A.G, Haryana.

MAHABIR SINGH SINDHU, J.

Present **second** petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No.0151 dated 06.03.2023, registered under Sections 17(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act'), at Police Station Sirsa City, District Sirsa.

2. Allegations are that petitioner along with co-accused Sanjay Kumar Yadav @ Sanjay Yadav were apprehended along with opium weighing 02 kilograms 750 grams.

3. Contends that petitioner is in custody since 06.03.2023; initially charges were framed on 04.09.2023; but in compliance of the order dated 30.08.2024 (P-5), supplementary report under Section 173 Cr.P.C is yet to be presented; hence, trial will take long time. Also contends that main accused,



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namely, Sanjay Kumar Yadav @ Sanjay Yadav from whom the alleged contraband was recovered, has already been granted bail pending trial by the Co-ordinate Bench on 30.08.2024 (P-5).

4. *Per contra*, learned State counsel vehemently opposed the prayer while submitting that allegations against the petitioner are serious in nature; hence, he does not deserve the concession of bail pending trial.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 06.03.2023; in compliance of the order dated 30.08.2024, the supplementary report under Section 173(2) Cr.P.C is yet to be presented; main accused, namely, Sanjay Kumar Yadav @ Sanjay Yadav from whom alleged recovery was effected, has already been granted bail pending trial by Co-ordinate Bench of this Court on 30.08.2024. As the conclusion of trial may take sufficient long time; therefore, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned Special Court without seeking any unnecessary adjournment(s).

9. The above observations may not be construed as an expression of opinion on the merits of the case.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.



Pending application(s), if any, shall also stand disposed off.

16.01.2025

Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No