

2025:PHHC:130400



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-47029-2024

Date of decision: September 19, 2025

KARANBIR SINGH @ PREET

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. P.S. Sekhon, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
with MHC Amanjit Singh.

MANJARI NEHRU KAUL, J.(ORAL)

1. The instant petition is the second petition filed under Section 439 of Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.33 dated 03.05.2023 under Sections 21-C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Chohla Sahib, District Tarn Taran (Annexure P-1).

2. Learned counsel for the petitioner submits that after the petitioner was arrested on 03.05.2023, the trial had been proceeding at a slow place with six witnesses still remaining to be examined, even though charges were framed almost two years back on 20.11.2023. Learned counsel has further argued that it is evidently a case of false implication as it is a matter of record that the petitioner has no previous criminal antecedents. Learned counsel, while placing reliance on *Dheeraj Kumar Shukla Vs. State of Uttar Pradesh [SLP(Crl.) No.6690/2022]*, has further submitted that almost in identical cases, the Hon'ble Supreme Court had enlarged the



accused therein on bail, even though the recovery effected had been classified as commercial, primarily on the ground of inordinate delay in the trial. Learned counsel has, therefore, urged that since the case of the petitioner is covered by *Dheeraj Shukla's case (supra)* as in the present case also, the trial has been prolonged for reasons not attributable to him, the petitioner be admitted to bail.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has neither disputed the custody period of the petitioner nor has he disputed the submissions made *qua* the stage of trial. Further, it has been asserted by the learned State counsel that a specific secret information was received *qua* the involvement of the petitioner in drug trafficking, and on being nabbed, a recovery of 305 grams of heroin was made from the motorcycle, on which he was riding. On a pointed query, learned State counsel has not disputed that the petitioner has never been booked in any case under the NDPS Act prior to the registration of the present FIR. However, on instructions, he submits that the petitioner was booked in a case under the Arms Act in the year 2022.

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

5. The petitioner has been in custody since 03.05.2023 after he was allegedly found in possession of 305 grams of heroin. The challan in the present case was presented on 27.10.2023 followed by framing of charges on



20.11.2023. However, as on date, only 10 prosecution witnesses out of the 16 cited have been examined; the next date before the learned trial Court is 10.12.2023, when some of the remaining witnesses have been summoned. It has not been disputed that the trial has been delayed for reasons not attributable to the petitioner. The petitioner is also not stated to be involved in any other case under the NDPS Act.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner. 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.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

September 19, 2025

Jaspreet Kaur

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*