



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-46640 of 2025

Reserved On: 29.08.2025
Pronounced On: 08.09.2025

Karandeep Singh alias Kanni alias Karan

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Prince Sharma, Advocate
for the petitioner(s).

Mr. Rohit Bansal, Senior Deputy Advocate General,
Punjab, for the petitioner.

Surya Partap Singh, J.

1. This is first petition under Section 483 of BNSS for grant of bail to the petitioner. For the commission of offence punishable under Section 21, 27A and 29 of the NDPS Act, FIR No. 129 dated 17.06.2025 has been lodged in Police Station Jandiala, Amritsar Rural. In the above mentioned case, the petitioner has been arrested and therefore, he is craving for bail.

2. In nutshell, the facts emerging from the record are that the above mentioned FIR came into being in view of a written information submitted by ASI Balwinder Lal dated 17.06.2025. According to above mentioned information, when a police party headed by the above named ASI was deputed for Cordon and Search Operation (CASO), it spotted a person present in his house in village Balia Manjpur. According to above named

ASI, when the above named person noticed the presence of police party, he got scared and picked up a packet from the pocket of his trouser and made an attempt to throw it away. According to above named ASI, he reacted swiftly, apprehended the above said person and on checking, found that in the packet, attempted to be thrown by the above named person, there was 16 grams heroin. It is the case of the prosecution that during search of the above named person, who disclosed his name as Rachhpal Singh, an amount of ₹10,000/- was also recovered. As per prosecution, during interrogation, it was revealed by Rachhpal that the above mentioned heroin was supplied to him by Karandeep Singh alias Kammi alias Karan, i.e. the petitioner. According to prosecution, when Karandeep Singh was arrested, he, too, suffered a disclosure statement and disclosed that the heroin supplied by him to Rachhpal, was procured the same from Inderjit Singh.

3. Heard.

4. It has been argued by learned counsel for the petitioner that the petitioner is innocent having no nexus, whatsoever, with the commission of crime and that he has been falsely implicated in this case, merely on the basis of procured evidence which is inadmissible in evidence. According to learned counsel for the petitioner, no psychotropic or narcotic substance has been recovered from the possession of the petitioner.

5. In addition to above, learned counsel for the petitioner has also argued that the trial in this case is not likely to be concluded in near future, and that detention of the petitioner in judicial lock-up would not serve any purpose and therefore, the petitioner is entitled for the benefit of bail.

6. Per contra, the learned State counsel has argued that the

petitioner is an active member of a racket involved in the supply of narcotic substance and that the disclosure statement suffered by the co-accused makes it abundantly clear that participation of the petitioner in the commission of crime is an established fact. According to learned State counsel, if released on bail, the petitioner is likely to indulge in similar activities and therefore, he is not entitled for the benefit of bail.

7. The record has been perused carefully.

8. A perusal of the record shows that in the present case, there are certain relevant factors, which need to be taken into consideration. Those factors are:-

- i) that the quantity of contraband alleged recovered in this case from the possession of accused Rachhpal Singh is 16 grams i.e. little above the maximum limit prescribed for a small quantity. It is only a fraction of maximum limit prescribed for commercial quantity;
- ii) that the petitioner is in custody for a period of more than two months;
- iii) that nothing incriminating has been recovered from the possession of accused;
- iv) that name of the petitioner has cropped up in the disclosure statement of co-accused Rachhpal Singh, from whose possession, the contraband has been recovered.
- v) that with regard to admissibility of statement of Rachhpal Singh, there is a question mark as it was recorded by the police when Rachhpal Singh was in custody.

- vi) that nothing is left to be recovered from the possession of petitioner;
- vii) that the trial is not likely to be concluded in near future.
- ix) that the detention of petitioner in judicial lock-up is not likely to serve any purpose.

9. Taking into consideration the cumulative effect of all the aforesaid factors, the present petition deserves to be allowed. Hence, the same is hereby allowed and the petitioner is admitted to bail subject to his furnishing bail bonds to the satisfaction of the learned trial Court. In case, the learned trial Court concerned is not available, on the date of furnishing bail bonds, the learned Sessions Judge shall be at liberty to assign the above case, for the above-mentioned purpose, to any other Court.

10. It is, however, made clear that any observation made here-in-above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

(Surya Partap Singh)
Judge

September 08, 2025
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No