



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

290

CRM-M-61609-2024 (O&M)
Date of Decision:- 20.05.2025

KARANDEEP SINGH ALIAS KALIA @ KARANDEEP KALIA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

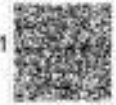
Present : Mr. Naveen Sharma, Advocate for the petitioner.
Mr. K.D. Sachdeva, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
02	06.01.2024	21 and 29 NDPS Act	STF Wing, District STF Wingham, Ludhiana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern whatsoever with the allegations levelled in the FIR and at the relevant time, the petitioner was lodged in jail. He further contends that no recovery of contraband has been effected from the petitioner in this case. He submits that petitioner is in custody since



19.02.2024, and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that the petitioner was the mastermind of the drug trafficking involving other co-accused, as such, he does not deserve the concession of bail and prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the petitioner, while being in jail, had been indulging in drug trafficking by supplying drugs through co-accused. Co-accused Kushal Kumar was arrested on 07.01.2024 and 950 grams of heroin was allegedly affected from him. The petitioner was arrested in this case on 19.02.2024 after being nominated on the disclosure of co-accused Kushal Kumar, however, consequent upon his arrest, no recovery of any contraband was effected from him. Challan has already been presented in Court after the completion of investigation, wherein the prosecution has cited 24 witnesses but only one witness has been examined till date. The petitioner is not having any other case under the NDPS Act registered against him and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.



6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. It is further made clear that in case the petitioner is again found involved in any case under NDPS Act, in future, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

20.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No