



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-3955-2026 (O&M)

Date of decision: 06.02.2026

Karan Kumar @ Rahul

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. J.S. Thakur, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in FIR bearing No.47 dated 26.03.2023, registered under Section(s) 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Navi Baradari, Jalandhar Commissionerate.

2. Learned counsel for the petitioner contends that it is a case of chance recovery, wherein the FIR was registered. The same reads thus:-

“xxxxxxxxxxx Today I, ASI along with Tarlochan Singh No.1129, C-2 Taranjit Singh No. 3449, SR/Ct Pardeep Singh 739, S/Ct Mani Ram 1989, S/Ct Vishal 1172 were on patrolling and checking duty, on government vehicle bearing registration No. PB-08-DS-4498, whose driver is SR/Ct Charanveer Singh 3037 and were in connection with the search of bad elements and checking, had installed picket along with the printer and

laptop. were present Char at quarter chowk, then from the side of railway track, car make swift of white colour, bearing registration No. PB-08-EY-1656, were seen coming, who on seeing the police party, got perplexed and tried to take U-turn. Then I, ASI along with the help of other official apprehended them and enquired about their names and address. Upon which the driver of the car disclosed his name as Raghuvir Singh @ Lally son of Kirpal Singh resident of House No. 3666, Gali No.4, Tej Mohan Nagar, Jalandhar and the person sitting on the co-driver seat disclosed his name as Karan Kumar @ Rahul son of Raj Kumar resident of [H.No.](#) 3677, Basti sekh, Tej Mohan Nagar, Jalandhar and the person sitting on the rear seat disclosed his name as Manik Daliya @Manga son of Vinod Kumar resident of House No. 133, New Rasila Nagar, Basti Danishmanda Jalandhar. Then I, ASI served notice upon the all the three apprehended person, in writing," that I have a suspicious, that you are having in your possession some intoxicating and you are required to be searched. You have a legal right to get your search conducted in the presence of Gazetted officer or Magistrate Sahib." All the three accused deposed faith in me and stated to conduct my search. Before conducting the search, I tried to join independent witness in the police party but all the witness showed their un-willingness to join in the police party. I, ASI in the presence of the other police officials, conducted the search of Raghuvir Singh@ Lally

son of Kirpal Singh resident of House No. 3666, Gali No.4, Tej Mohan Nagar, Jalandhar, then conducting the search of the right pocket of trouser, one transparent polythene bag was recovered, which contained Heroin and on weighing the recovered Heroin it was 100 grams. The recovered Heroin was packed plastic container and sample was prepared. Then the search of Karan Kumar @ Rahul son of Raj Kumar resident of [H.No.](#) 3677, Basti sekh, Tej Mohan Nagar, Jalandhar, conducting the search of the right pocket of trouser, one transparent polythene bag was recovered, which contained Heroin and on weighing the recovered Heroin it was 150 grams. The recovered Heroin was packed plastic container and sample was prepared. On conducting the search of Manik Daliya @Manga son of Vinod Kumar resident of House No. 133, New Rasila Nagar, Basti Danishmanda, Jalandhar, conducting the search of the right pocket of trouser, one transparent polythene bag was recovered, which contained Heroin and on weighing the recovered Heroin it was 150 grams. The recovered Heroin was packed plastic container and sample was prepared and was sealed with the seal GS. After using the seal was handed over to ASI Tarlochan Singh 1129. The recovered parcel was sealed with the seal GS was taken into police possession vide different recovery memo's and the car bearing registration No. PB 08 EY 1656 Swift white colour without any document were taken into police position while

different recovery memo. Raghuvir Singh was in possession of 100 grams of heroine and Karan Kumar was in possession of 150 grams of heroine and Manik Daliyan was in possession of 150 grams of Heroin without any permit has committed offence under section 21/61/85 of the NDPS, Act. Ruqa has been reduced into writing and has been sent to the police station through hand by S/Ct Vishal No 1172.”

3. Learned counsel appearing on behalf of the petitioner contends that as per the case of the prosecution, recovery of total 400 grams *Heroin* was effected from a Car in which there were three occupants. Recovery of only 150 grams of *Heroin* was effected from the petitioner and the liability with respect to the remaining recovery cannot be fastened against the petitioner. He contends that the similarly placed co-accused has already been granted the concession of regular bail by this Court.

4. Learned counsel for respondent-State, however, contends that the prosecution evidence is on the verge of completion and only 03 witnesses remain to be examined out of the total of 11 initially cited by the prosecution. He contends that the petitioner has criminal antecedents and is involved in as many as 04 other cases, including 01 under the Narcotic Drugs and Psychotropic Substances Act, 1985. He further contends that the next date before the trial Court is 10.03.2026 for remaining prosecution evidence. He further contends that the remaining prosecution evidence shall be concluded expeditiously.

5. Having heard the counsel for the respective parties and taking into consideration that substantive evidence has already been examined and

only 03 witnesses are to be examined and that the case is fixed for 10.03.2026 for recording the prosecution evidence, I am of the opinion that the purpose would rather be served by expediting the conclusion of the prosecution evidence instead of granting regular bail to the petitioner at this stage. The present petition is accordingly **dismissed** at this stage with a direction to the trial Court to conclude the prosecution evidence expeditiously and in any case not later than within a period of 02 months from the next date fixed before it.

(VINOD S. BHARDWAJ)
JUDGE

06.02.2026

Mangal Singh

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