



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-25031-2026

Date of decision: 05.05.2026

KARNAIL SINGH

....Petitioner

Versus

STATE OF PUNJAB AND ORS.

....Respondents

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Maninderjit Singh, Advocate for the petitioner.

Mr. J.S. Rattu, DAG Punjab.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

Prayer in the instant petition filed under Section 528 of BNSS, is for issuance of direction to the trial Court for speedy disposal of the application bearing No.CIS CRM-227-2022 (Annexure P-12) pending since 12.04.2022 in case FIR No.0100 dated 18.05.2021 (Annexure P-1) registered under Sections 21, 61 of the NDPS Act (Section 29 of the NDPS Act added later on) at P.S. Civil Lines Batala, Police District Batala, District Gurdaspur.

It is inter alia contended by learned counsel for the petitioner that the aforesaid FIR was registered against respondents No.2 and 3 namely Harmeet Singh alias Gaurav and Shubham Mehra alias Shubham. During their arrest, one car was also taken into custody and for its release, respondent No.4 namely Sukhjit Singh filed an application for its release on superdari which was subsequently allowed by the learned Trial Court on furnishing bonds of Rs.5,00,000/- with one surety of the like amount. He further contends that respondent No.5-Avtar Singh stood as surety for respondent No.4 and also undertook that in case of any default committed by him then the same shall be recovered from his property located in village Madhopur.

Learned counsel for the petitioner further submits that in the

meantime, learned Trial Court received a report that the *Fard Haqiat* is forged



and no Nambardar with the name Harbans Singh is working in the village Madhopur. As a consequence, learned trial Court marked an inquiry into the matter which restrained the petitioner's grandson Avtar Singh to dispose off the aforesaid property till discharge of the surety bonds. He further submits that the petitioner, accordingly, filed an application (Annexure P-12) before the learned Trial Court for ordering the release of charge created on the land of Avtar Singh who is the grandson of the petitioner on the ground that he is residing abroad since and as such, there was no occasion for him to furnish surety bonds and further he was a minor when the surety bonds were submitted by him and as such, fraud has been played upon the Court and the petitioner and his grandson could not dispose off their land or get loan against the same. Learned counsel for the petitioner accordingly, prays that the aforesaid application (Annexure P-12) be decided expeditiously in accordance with law since it is pending since 12.04.2022.

Since the application in question is pending adjudication before the trial Court since the year 2022 and speedy trial is a fundamental right of the petitioner enshrined under Article 21 of the Constitution of India, it would be in the interest of justice if the trial Court is directed to decide the application expeditiously.

Accordingly, the present petition is disposed of with a direction to the learned trial Court to proceed and decide the application expeditiously, as per law, at the earliest.

Disposed of accordingly.

(RUPINDERJIT CHAHAL)
JUDGE

05.05.2026

puneet

PUNEET SHARMA
2026.05.06 16.51
I attest to the accuracy and
authenticity of this order/judgment

i)
ii)

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No