

2026-PHHC-063039



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

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Date of Decision: 24.04.2026.

(1) CRM-M-42787-2025

Karan SaguPetitioner.

VERSUS

State of HaryanaRespondent.

WITH

(2) CRM-M-72967-2025

Vinay KalraPetitioner.

VERSUS

State of HaryanaRespondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Arpandeeep Narula, Advocate
Mr. Piyush Mittal, Advocate
for the petitioner (in CRM-M-42787-2025).

Mr. L.S. Sekhon, Advocate
for the petitioner (in CRM-M-72967-2025).

Mr. Amish Sharma, Assistant Advocate General, Haryana.

SANJAY VASHISTH, J. (Oral)

Petitioner-Karan Sagu (in CRM-M-42787-2025) and petitioner-Vinay Kalra (in CRM-M-72967-2025), have filed the aforementioned two petitions under Section 483 BNSS, 2023, seeking regular bail in case FIR No.25 dated 30.01.2025, under Section 21(C)/27-A of NDPS Act, registered at Police Station Ding, District Sirsa.

2. As per case of the prosecution, on 13th January, 2025, main accused (i) Vilas @ Vikas, and (ii) Prem Sagar, were arrested while they both were together.

As per allegations, accused – Prem Sagar, was a pillion rider of the Splender Black Colour motor cycle No.HR 24 AH 5227, which was being driven by his son Vilash @ Vikas. On being intercepted by the members of the police team, the search was conducted and from the pocket of the jacket worn by co-accused Vilash @ Vikas, 412 grams of heroin was recovered.

3. Learned counsel for petitioners argued that the petitioners have been falsely implicated in this case on the basis of disclosure statement of co-accused Vilash @ Vikas. No recovery was effected from them. Petitioner-Karan Sagu is in custody since 16.05.2025, i.e., for about a period of more than 11 months and petitioner-Vinay Kalra is in custody since 24.06.2025, i.e., for about a period of more than 09 months.

Further submit that petitioners young boys of the age of 21 and 32 years respectively, and as of now, total cited 24 prosecution witnesses, none has been examined so far. Conclusion of trial shall take considerable time to conclude, therefore, no useful purpose would be served by keeping the petitioners behind bar.

4. Learned counsel further submit that one of the main accused, i.e., Prem Sagar has already been granted bail by this Court vide order dated 09.03.2026 passed in CRM-M-43483-2025. It is contended that the case of the present petitioners stands on a better footing, as their implication is based upon the disclosure statement. Even co-accused Rakesh Kumar, who is almost similarly situated and allegedly had accompanied the present petitioners, since has already been granted bail by this Court, vide order dated 09.04.2026

passed in CRM-M-17933-2026, the plea of bail to the petitioners be considered on parity basis. Therefore, learned counsel seek concession of regular bail.

5. On the other hand, learned State counsel has produced the custody certificates dated 22.04.2026 in Court today, which are taken on record. Office is directed to tag the same at the appropriate place.

A copy thereof has been supplied to the learned counsel for the petitioner(s).

6. Learned State counsel, on instructions, submits that no recovery has been effected from the present petitioners in the instant case. Besides, other factual assertions made here-above, have also not been disputed by learned State counsel.

7. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds that petitioners have been nominated in the present case on the basis of the disclosure statement of co-accused Vilas @ Vikas. Admittedly, no recovery has been effected from the petitioners.

It is also noticed that out of the total 24 cited prosecution witnesses, none has been examined so far and the trial is likely to take considerable time to conclude. Petitioner-Karan Sagu, who is 21 years of age, is in custody since 16.05.2025, i.e., for about a period of more than 11 months and petitioner-Vinay Kalra, who is 31 years of age, is in custody since 24.06.2025, i.e., for about a period of more than 09 months. Keeping in view the young age of the petitioners and the period of incarceration already undergone by them, further detention at this stage would not serve any useful purpose.

Moreover, co-accused namely Prem Sagar and Rakesh Kumar, have already been granted concession of regular bail by this Court vide orders dated 09.03.2026 and 09.04.2026 respectively. Thus, on the ground of parity as well, the case of the present petitioners stands on a better footing.

8. Without commenting on the merits of the case, and in view of the aforesaid facts and circumstances, this Court is of the considered opinion that further incarceration of the petitioners is not warranted and their personal liberty need not be curtailed for an indefinite period.

It is observed that the status report filed in CRM-M-42787-2025 showing the company of three accused namely Rakesh Kumar, Karan Sagu and Vinay Kalra from Sirsa/Dabwali to Bathinda, staying together in a room of hotel and then coming back to Sirsa, was never highlighted by learned counsel representing the State of Haryana while opposing the plea of bail to co-accused Rakesh Kumar and therefore, the same cannot be considered.

Accordingly, prayer made in the present petitions are **allowed**. Petitioner-Karan Sagu and petitioner-Vinay Kalra are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

10. **Accordingly, both the petitions stand disposed of.**

- 11. Pending application(s), if any, also stands disposed of accordingly.
- 12. Photocopy of this order be placed on the connected file.

(SANJAY VASHISTH)
JUDGE

24.04.2026
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No