

2026:PHHC:042972



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-70405-2025 (O&M)

Karan @ Kannu ...Petitioner

Versus

State of Punjab ...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	17.03.2026
2	The date when the judgment is pronounced	20.03.2026
3	The date when the judgment is uploaded on the website	20.03.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vipin Mahajan, Senior Advocate with
Ms. Chandanpreet Kaur Ahluwalia, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing FIR No. 56 dated 10.07.2025, registered under Sections 21(C), 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) and Section 25 of the Arms Act, 1959 at Police Station Behrampur, District Gurdaspur.

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2. Brief facts of the case relevant for the disposal of the present petition are that on 10.07.2025, the petitioner along with co-accused Samdeep Singh @ Sam, who are real brothers, was apprehended by a police party and recovery of 258 grams of heroin, one pistol of .32 bore along with magazine and drug money of Rs.2200/-was effected from them. They were formally arrested at the spot. Upon interrogation, they disclosed that the recovered contraband and pistol were purchased by them from one Akashdeep Masih, who was also nominated in this case as an accused and was arrested on 13.07.2025. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offence.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, the recovery of the alleged contraband and pistol, shown to have been effected from the petitioner and co-accused, was planted by the police officials. No independent witness was joined at the time of effecting alleged recovery. The story put forth by the police party is concocted one. Mandatory provisions of the NDPS Act were not complied with at all. Investigation has since been completed and challan has been presented. The trial is likely to take considerable time as even charges have not been framed so far. The petitioner is in custody since 10.07.2025. No useful purpose would be served by keeping him in custody anymore. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, his criminal antecedents as well as the fact that

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commercial quantity of contraband has been recovered from him, he is not entitled to get benefit of bail as the rigors of Section 37 of the NDPS Act would be attracted against him. There are chances of the petitioner's absconding or committing similar offences, if released on bail. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. As per the allegations, the petitioner along with the co-accused was found to be in conscious possession of commercial quantity of the contraband and one illicit pistol, which they had purchased from co-accused Akashdeep Singh. Since the quantity of the contraband falls under commercial quantity, the rigors of Section 37 of the NDPS Act would certainly be attracted against the petitioner. As regards the arguments advanced by learned counsel for the petitioner with regard to non-compliance of the statutory provisions of the NDPS Act during investigation by the police party, the same have direct bearing on the merits of the case, which cannot be looked into at this stage while deciding a bail petition filed under Section 483 of BNSS. The petitioner has previous criminal antecedents. The apprehension expressed by learned State counsel that the petitioner, if extended benefit of bail, may abscond or indulge in similar offences can also not be stated to be unfounded. Keeping in view the discussion as made above, the quantity of recovered contraband, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail, at this stage. Hence, the petition is dismissed.

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7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

20.03.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No