



CRM-M-47845-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-47845-2025
Decided on :03.09.2025

Karan @ Kanna

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Manoj R. Sharma, Advocate
for the petitioner.
(through video conferencing).

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS., seeking regular bail in case FIR No.225 dated 19.12.2024, under Sections 21 and 29 of NDPS Act, registered at Police Station Division No.8 Jalandhar, District Jalandhar.
2. As per the case of the prosecution, petitioner — Karan @ Kanna was apprehended with 100 grams of heroin in his possession.
3. Learned counsel for the petitioner submits that following the petitioner's arrest, names of other co-accused also came to light, and on the basis of their disclosure statements, contraband in varying quantities i.e. totaling 950 grams of heroin was recovered. It is submitted that petitioner is sought to be held liable only for the 100 grams of heroin allegedly recovered from his possession at the first instance, and not for the recoveries effected from the other co-accused.



Counsel further submits that petitioner is in custody since 19.12.2024, and is not alleged to be involved in any other similar offence punishable under the provisions of the NDPS Act. It is also pointed out that the investigation qua the petitioner stands concluded, and out of a total of 21 prosecution witnesses, only one witness has been examined till date. Therefore, learned counsel submits that the conclusion of the trial is likely to take a considerable amount of time, and accordingly, prays for grant of regular bail to the petitioner.

4. Learned State counsel, however, opposes the prayer for bail and submits that petitioner was apprehended with 100 grams of heroin, which is a significant quantity under the provisions of the NDPS Act. The recovery from the petitioner, coupled with subsequent recoveries based on the disclosure statements of co-accused, clearly indicates the petitioner's active involvement in the narcotics trafficking chain.

Learned State counsel further submits that the offence is serious in nature and attracts stringent punishment, warranting custodial trial. Petitioner's release on bail at this stage may hamper the ongoing investigation and trial. Moreover, large quantity of narcotics involved indicates the gravity of the case, and granting bail would send a wrong signal to those indulging in drug trafficking. Therefore, learned State counsel prays for dismissal of present petition.

5. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court noticed that petitioner's involvement is limited to this initial recovery, and he is not

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implicated in recoveries from the other co-accused. Petitioner is in custody since 19.12.2024, and the investigation qua him is complete. Out of the total 21 prosecution witnesses, only one witness has been examined so far, indicating that the trial is still at a nascent stage and is likely to take considerable time to conclude. Further, there is no material on record suggesting that the petitioner has been involved in any other similar offences during the pendency of the trial. Considering these facts, and balancing the liberty of the individual against the interests of justice, this Court finds no substantial reason to withhold bail.

Accordingly, present petition is allowed. Petitioner is ordered to be released on bail, subject to his 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.

6. 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.

7. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

03.09.2025*Rashmi*

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