



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

208

CRM-M-51819-2025
Decided on : 19.09.2025

Karan Kalra @ Karan . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Davinder Bir Singh, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Karan Kalra @ Karan	10	28.01.2025	21(c), 25, 29, 61, 85 of NDPS Act	Sarabha Nagar	District Police Commissionerate, Ludhiana

2. Allegation of the prosecution is that petitioner along with co-accused – Gurmeet Singh alias Daughter, were traveling in Innova Car, bearing registration No. PB05-M-0064 and said car was being driven by co-accused – Gurmeet Singh alias Daughter. Petitioner – Karan Kalra @ Karan, who was seated beside the driver, allegedly threw a polythene bag out of the vehicle and upon weighing the same, it was found containing 260 grams of 'Heroin'.

3. Learned counsel for the petitioner submits that the recovered



quantity is only marginally above the threshold of non-commercial quantity, and therefore, it would be a matter for the trial Court to determine, as to whether the prescribed procedure for weighing the contraband was duly followed, or not. It is further submitted that, admittedly, the contraband appears to have been weighed by the investigating officer along with the polythene bag, which raises a question as to the accuracy of the actual quantity of heroin recovered.

Moreover, petitioner is stated to have been in custody for the last approximately eight months, and is not alleged to be involved in any other case of similar nature. It is further submitted that investigation in the present case stands concluded, and the trial is yet to commence. Considering the stage of the proceedings, it is likely that the trial will take a considerable amount of time to conclude. In these circumstances, learned counsel prays for grant of regular bail to the petitioner in the present case.

4. Learned counsel further submits that the co-accused – gurmeet Singh alis Daughter (almost similarly situated), has already been granted concession of regular bail by this Court, vide order dated **29.08.2025**, passed in **CRM-M-17186-2025**, titled as, “**Gurmeet Singh alias Daughter v. State of Punjab**” (Annexure P-2). Thus, claiming parity, learned counsel for the petitioner prays for grant of concession of regular bail to the petitioner as well.

5. On the other hand, learned State counsel has vehemently opposed the prayer for grant of bail, submitting that in view of the substantial recovery of narcotic contraband, the petitioner is not entitled to the concession of regular bail without first establishing his innocence.



He further contends that the grant of bail to a co-accused cannot by itself be taken as a ground for extending the same benefit to the petitioner, unless the overall facts and circumstances so justify. However, he is unable to dispute other factual submissions as stated by counsel for the petitioner today before this Court. However, he prays for dismissal of the present petition.

6. This Court has heard the submissions advanced by learned counsel for the parties and has carefully perused the material placed on record.

It is noticed that the petitioner has been in custody for approximately eight months, is not involved in any other case of a similar nature, and that his co-accused has already been granted the concession of regular bail. Since, conclusion of the trial is likely to take a considerable time, this Court finds it appropriate to extend the concession of regular bail to the petitioner in the present case.

7. Consequently, prayer made in the 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/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded here above, 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. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

September 19, 2025

J.Ram

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