

CRM-M-21969-2015

Date of decision: July 16, 2015

HARPAL SINGH @ BHALLA

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Naresh Jain, Advocate  
for the petitioner.Mr. Deepak Garg, AAG, Punjab assisted by  
HC Harpal Singh.JASPAL SINGH, J.(ORAL)

The instant petition has been preferred under Section 439 of Code of Criminal Procedure by Harpal Singh @ Bhalla seeking bail in case FIR No.356 dated 02.11.2014, under Sections 399, 402, 489, 473, 419, 411 of Indian Penal Code, 25, 54, 59 of Arms Act and 15, 18, 21, 22, 29, 61, 85 of Narcotics Drugs and Psychotropic Substances Act registered at Police Station Tripuri, District Patiala.

The allegation of the prosecution is that a secret information was received by SI Gurnam Singh, Police Station Tripuri, Patiala to the effect that Amrik Singh, Jagsir Singh, Sher Singh @ Shera, Sarabpreet Singh @ Rimpi, Gurinder Singh and Harpal Singh etc. are dealing with business of drugs and dacoity etc. and further that they are conspiring with each other to commit robbery and dacoity while armed with deadly weapons and possessing intoxicant substances. On the basis of disclosure statement of Jagsir Singh-co-accused, petitioner was arrested on November 17, 2014 while he was subjected to custodial interrogation. He suffered disclosure statement under Section 27 of the Evidence Act and got recovered 60 grams of intoxicant powder from his

possession. Investigation is complete and report under Section 173(2) Cr.P.C. has already been presented against the petitioner as well as the co-accused. The disposal of the challan is likely to take sufficient long time. This Court is of the considered view that no useful purpose will be served by keeping the petitioner behind the bars for an indefinite period. The recovery of contraband alleged to be effected from the possession of the petitioner is non-commercial one.

Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits of the case, petition is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds at the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

**July 16, 2015**  
*m. sharma*

**(JASPAL SINGH)**  
**JUDGE**