



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-55495 of 2024 (O&M)

Date of Decision: 13.11.2024

Harpreet Singh alias Happy

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Arora, Advocate,
for petitioner.

Mr. Prabhdeep Singh Dhaliwal, AAG Punjab.

FIR No.	Dated	Police Station	Section/s
97	30.7.2024	Khalra, District Tarn Taran	21(c) of Narcotic Dugs and Psychotropic Substances Act, 1985 and Sections 10, 11, 12 of Aircraft Act, 1934 and Section 25 of Arms Act 1959 (Offence under Section 61 BNS 2023 and Section 29 of NDPS Act, 1985 added later on and offence under Section 21(c), 29 of NDPS Act and Sections 10,11,12 of Aircraft Act, 1934 stands deleted later)

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Harpreet Singh alias Happy seeks grant of regular bail in respect of above mentioned FIR.
2. The FIR came to be lodged in pursuant to receipt of a secret information received by the police to the effect that Harpreet Singh @ Happy (petitioner) had indulged in procuring ‘heroin’ and weapons from across the border i.e. from

Pakistan with the help of drones. The petitioner came to be arrested on the very next day i.e. on 31.7.2024 and one pistol alongwith an empty magazine was recovered from him.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has been involved in the instant FIR on the basis of absolutely false allegations and that as a matter of fact upon investigation, offence under NDPS Act as well as offence under Aircraft Act, have already been deleted and it is only offence under Arms Act, which survives against the petitioner. Learned counsel further submits that the petitioner has a clean record and is not involved in any other case and under these circumstance, when the trial is yet to commence, his further detention will not be justified.
4. Learned State counsel has not disputed the fact that offences under NDPS Act and Aircraft Act already stand deleted and the petitioner is being prosecuted only in respect of offence under Arms Act. It is not disputed that the petitioner has been behind bars since the last more than 3 months and challan already stands presented though charges are yet to be framed. It has also been informed that the petitioner is not involved in any other case.
5. This Court has considered rival submissions addressed before this Court.
6. Having regard to the fact that challan stands presented and offences under NDPS Act and Aircraft Act have been deleted and also the fact that the petitioner has a clean record and the trial has not even commenced till date, further detention of the petitioner will not be justified as conclusion of trial is likely to consume time.
7. The instant petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned

trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13th November, 2024
reema

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No