

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-6417-2025
Date of Decision: 04.03.2025

HARPAL SINGH
VERSUS
STATE OF PUNJAB

....Petitioner(s)

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rajat Dogra, Advocate for the petitioner.
Mr. Mohit Kapoor, Senior DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Instant petition, wherein petitioner has sought interim regular bail, as his wife is pregnant and is at the last stage of pregnancy and her delivery is due in April 2025. On previous date of hearing i.e. 04.02.2025, following order was passed:-

“Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.
1. Prayer in this petition, is for grant of interim bail for three months, to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Harpal Singh, aged 30 years	72	11.10.2024	21 of NDPS Act	P.S. ‘D’ Division	Amritsar

2. Present petition has been filed on the ground that the wife of the petitioner is at the last stage of her pregnancy, and delivery of his child is due in the month of April, 2025.
3. In the complete pleadings raised through the present petition, name of the wife has not been disclosed. From the medical documents appended with the present petition, it is noticed that the name of the patient is mentioned as Rajwinder Kaur aged 18 years, whereas petitioner himself is of the age of 30 years.
4. In the order dated 14.01.2025 passed by the Judge (Special Court), Amritsar, it is noticed that copies of the ultrasound report are pertaining to one Karamjit Kaur, as wife of the petitioner.
5. Notice of motion.
On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts an appearance on behalf of the respondent/State.
6. List again on 04.03.2025.



7. *Let status report be filed by learned State counsel, after verification of all the relevant facts, including the facts noticed here above, before the next date of hearing.”*

2. Status report dated 03.03.2025 by way of affidavit of Jaspal Singh, P.P.S., Assistant Commissioner of Police (Central), Amritsar City on behalf of respondent-State has been filed, the same is taken on record. Copy thereof has been handed over to the counsel for the petitioner.

From status report, para No.3 is read out and the same is reproduced hereunder:-

“That it has been further reported that Rajwinder Kaur wife of the petitioner is about 7 months pregnant and she will enter into cycle of 8th month on 15.03.2025 and during the enquiry, it was found that the petitioner was brought up by his grandmother Kashmir Kaur, who got his marriage solemnized with Rajwinder Kaur and the parents and brother of the petitioner are living separately at village Thathgarh. It has been further reported that Rajwinder Kaur wife of the petitioner has stated in her statements that when the petitioner has applied for his bail application in the Special Court, Amritsar; the ultrasound reports of Rajwinder Kaur were given to the counsel but inadvertently her name was written as Karamjit Kaur by the counsel of the petitioner at the time of filing bail application and it was found that the original name of wife of the petitioner is Rajwinder Kaur and her date of birth is 03.03.2006 and Grandmother of Harpal Singh is old, whose age is about 80 years and she cannot take care of pregnant Rajwinder Kaur. Besides that, there is no other person present at house Harpal Singh to take care of his wife in her pregnancy. The true translation of the aforesaid report is attached herewith for the kind perusal of this Hon'ble Court is attached herewith for the kind perusal of this Hon'ble Court as Annexure R-1/T.”

3. On being asked by the Court, learned State counsel submits that recovery from the petitioner is of 478 grms of heroin, which was found in his pocket, and more than 250 grams fall under the category of commercial quantity.

4. Even challan has not been presented and petitioner is inside jail since 11.10.2024.

5. Verified fact is that Rajwinder Kaur, who is wife of the petitioner is pregnant and she requires someone very close to her, who can take care of her physical and mental health, at the time of need. The only



person, in house is stated to be the grandmother of the petitioner, who herself is aged about 80 years.

7. Resultantly, present petition is **allowed**. The petitioner is ordered to be released on interim regular bail in this case from 15.03.2025 to 23.5.2025, subject to his furnishing bail/surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate concerned, if not required in any other case.

The petitioner would surrender back to the jail authorities on **23.05.2025**.

8. With aforementioned terms, present petition is **disposed of**.

9. However, it would be informed to the Court whether the petitioner has surrendered back or not as directed by this Court, on the next date of hearing.

For the said purpose only, list again on **28.05.2025**.

March 04, 2025
Sangeeta

(SANJAY VASHISTH)
JUDGE

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