



220

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

CRM-M-10460-2025**Date of Decision:02.05.2025**

Harpal Singh

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Aditya Sanghi, Advocate with
Mr. Himanshu Garg, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.535 dated 06.08.2024 registered under Sections 15(C), 29, 27 of NDPS Act and Section 25 of Arms Act, at Police Station Sirsa City, District Sirsa.

2. Learned counsel for the petitioner contends that the petitioner was named in the FIR only on the basis of the suspicion and he had no concern with the three accused, who were apprehended by the police at the spot. He further contends that it has been wrongly shown that the petitioner was the person, who had supplied poppy husk to his co-accused. Learned counsel further submits that the petitioner was arrested in the present case on 29.11.2024 and is in custody for the last more than 05 months. Challan has already been presented against the petitioner and his further custody will not serve any meaningful purpose.

3. On the other hand, reply has been filed by learned State counsel in Court today and the same is taken on record. He has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that no witness has been examined so far. He further contends that there were call details between the present petitioner and co-accused and he was in touch with Pardeep Kumar over the phone.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner was not found at the place, where the recovery was effected from three other co-accused. He was taken in custody on 29.11.2024 and is in judicial custody since then. Challan has already been presented against the petitioner and no recovery was effect from him.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

(iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

(v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*

(vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

02.05.2025

hemlata

(N.S.SHEKHAWAT)
JUDGE

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