

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

2025:PHHC:110312



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CRM-M-33152-2025 (O&M)

Date of Decision: 21.08.2025.

Harpal Singh Bhalla

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Malkiat S. Hundal, Advocate
for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in FIR No.26 dated 24.03.2025, under Section 21(b)/61/85 of NDPS Act, registered at Police Station Khem Karan, District Tarn Taran.

As per prosecution case, on 24.03.2025, during routine patrolling, the police party going towards village Bhura Kareempura, apprehended a person, who on seeing the police party got perplexed and threw a polythene envelope, which he was carrying in his left pocket of trouser. On suspicion, the police party caught the said person, who disclosed his name as Harpal Singh @ Bhalla (present petitioner) and from the thrown envelope, 6.08 grams heroin was recovered. Hence, the present FIR was registered against the petitioner.

Learned counsel for the petitioner contended that the recovery of 6.08 grams of heroin allegedly effected from the petitioner falls in the 'intermediate quantity'. Even this recovery has been planted upon the petitioner. The petitioner is in custody since 30.04.2025 and as such no useful purpose would be served by keeping the petitioner behind the bars any longer. He urged that as trial of the case is likely to take time, therefore, the petitioner be granted concession of regular bail.

Notice was issued in this case on 07.07.2025 and status report was called from the State, which was filed today in the Court and the same is taken on record.

Learned State counsel has opposed the petition and submitted that challan in this case has already been presented and now trial is going on. Two other criminal cases under NDPS Act were also registered against the petitioner and as such he is not entitled to the concession of regular bail.

Heard.

As per the allegations, the petitioner was found in illegal possession of 6.08 grams of heroin, which falls within the 'intermediate quantity'. As per status report, one case under NDPS Act is pending against the petitioner and in that case, he is on bail. As per the custody certificate, the petitioner is in custody since 04 months and 24 days. Conclusion of trial is likely to take considerable time and no useful purpose would be served by further detaining the petitioner behind the bars any longer.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted to regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

(SUKHVINDER KAUR)
JUDGE

21.08.2025.

Komal

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