

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

244

CRM-M-37274-2025
Date of decision: 22.07.2025

HARPREET SINGH ALIAS HAPPY KHALSAPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Ms. Swati Verma, Advocate for the petitioner.

Mr. Jasdeep Singh, Additional A.G, Punjab.

SANJAY VASHISTH. J.(Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
HARPREET SINGH ALIAS HAPPY KHALSA	25	05.03.2025	21 of NDPS and Section 111 of BNS (Sections 29 and 27- A of NDPS Act added later on)	Qadian, Police District, Batala	Gurdaspur

2. As per allegations against HARPREET SINGH ALIAS HAPPY KHALSA, aged 40 years, is that from his possession 10 grams of heroin was



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recovered, which is just double to the small quantity. Based on the allegations, at best, the petitioner may be a drug addict, as he is found to be involved in five other cases as well, and in none of those cases has any significant recovery been made against him.

3. By referring to the impugned order dated 17.04.2025 (Annexure P-2), it is submitted that the petitioner is shown to be involved in five other criminal cases, two of which were under the NDPS Act.

4. She further clarifies that as per the information received by her, in all the cases registered under the IPC, the petitioner has been acquitted. However, he was convicted in the other two NDPS cases, and the sentence in those cases has already been undergone by him. Thus, as of now, the petitioner is involved only in the present case, in which he has been in custody for the last approximately four months.

5. On being asked, learned State counsel submits that investigation in the case is over and final report has already been submitted and trial in the case is yet to begin.

6. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition.

7. As per the totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/



Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands disposed of.

22.07.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No