



CRM-M-53017-2024 and CRM-M-4147-2025

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

214+221

Date of Decision: 21.08.2025

1. CRM-M-53017-2024

HARPAL SINGH

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

2. CRM-M-4147-2025

TARSEM SINGH MALHI @ SEMA

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Shivender Pal, Advocate for
Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner
in CRM-M-53017-2024.

Mr. Ashish Aggarwal, Advocate for the petitioner
in CRM-M-4147-2025

H.S. Grewal, J.(Oral)

1. By way of common order, the aforesaid petitions shall be disposed of which have been filed for grant of regular bail under Section 439 of Cr.P.C in case FIR No. 49 dated 10.02.2023 under Section 21 of NDPS, Act 1985



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registered at Police, Station Rama Mandi, District Police Commissionerate, Jalandhar.

2. The case of the prosecution is that 1 Kg 100 Grams of heroin was recovered from the car bearing registration No. PB02-BE-9163 being driven by the petitioner namely Tarsem Singh Malhi @ Sema and petitioner Harpal Singh @ Bhalu namely was sitting next to him in the car.

3. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. The allegations against the petitioners are matter of evidence. The petitioners are in custody since 10.02.2023 and conclusion of trial would take sufficient long time.

4. Notice of motion.

5. Mr. Rishab Singla, AAG, Punjab appears and accepts notice on behalf of the respondent-State. He has vehemently opposes the grant of bail to the petitioners. He has filed the custody certificates of the petitioners in the Court today and the same are taken on record. As per custody certificates, the petitioners are in custody for the last 02 years 06 months and 05 days. He further submits that petitioner Harpal Singh @ Bhalu has been involved in one more case under NDPS Act, however he has undergone the sentence in that case where, he was convicted in 2015 and petitioner Tarsem Singh Malhi @ Sema is not involved in any other case under NDPS Act. He further submits that out of 13 cited prosecution witnesses, 07 have been examined so far.

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



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7. Keeping in view the above and the fact that the petitioner is in custody for the last 02 years 06 months and 05 days; 07 witnesses out of 13 cited prosecution witnesses have been examined so far; the continuous detention of the petitioners would not serve the ends of justice, therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioners during the pendency of the trial.

8. Hence, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of their bail.

21.08.2025

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(H.S.GREWAL)
JUDGE

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