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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60844-2024
Date of decision: 01.08.2025

HARSIMRANDEEP SINGH @ MANNU

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON’BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. P.S.Sekhon, Advocate
for the petitioner.

Mr. J.S.Thind, DAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
101	24.08.2021	Sadar Raikot, District Ludhiana (Rural)	22, 25 and 29 of NDPS Act, 1985

1. The petitioner incarcerated in the FIR captioned above has come up before this Court under Section 439 of the Code of Criminal Procedure, 1973 [Cr.P.C], seeking regular bail.
2. Vide order dated 13.02.2025, the petitioner was granted interim bail by a Co-ordinate Bench of this Court, the order is continued till date.
3. Per paragraph 16 of the Status report, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date/Year	Sections	Police Station
1.	93	15.08.2013	323, 324, 506 of IPC	Sandaur
2.	28	30.03.2018	341, 323, 325, 427, 148, 149, 201 of IPC	Sandaur
3.	13	09.02.2020	22, 25, 29 of NDPS Act	City Raikot



4.	58	08.08.2020	22, 25 of NDPS Act	Sudhar
5.	127	22.06.2024	20 of NDPS Act	Sadar Nabha
6.	420	02.09.2024	21 of NDPS Act	Division No.7, Ludhiana

4. The facts and allegations are being taken from the status report dated 22.01.2025 filed by the State, which reads as follows:

"xxx xxx xxx xxx

4. That from the perusal of report it was revealed that FIR No.0101 (supra) was registered based on secret information received on 24.08.2021 at around 10.40 PM by the police party headed by ASI Surjeet Singh, CIA Staff, Jagraon, Ludhiana (Rural) that in connection with patrolling and checking of suspected person was present at main chowk Village Bassian, to the effect that Satnam Singh @ Satta (co-accused of the petitioner) who was resident of Village Kasba Bhural, Malerkotla and has been involved in selling heavy quantity of intoxicant tablets etc., was proceeding from his Village for City Raikot through Village Johlan on a grey colored Honda Activa Scooter without registration number, for supply of intoxicant tablets and can be apprehended along with intoxicant tablets and above said Activa Scooter by laying picket (naka) at minor canal in the area of Village Johlan. Since from the information received commission of aforesaid offences was disclosed against Satnam Singh @ Satta (co-accused of the petitioner), consequently, the present FIR was registered him.

5. That after necessary compliance of Section 42 NDPS Act 1985 and registration of FIR No.0101 (supra), investigation in the matter was entrusted to SI Kulwinder Singh No.368/LDH-R, CIA Staff Jagroan, Ludhiana (Rural). During investigation, SI Kulwinder Singh laid picket (naka) at the above said disclosed place and started checking. During checking, Satnam Singh @ Satta (co-accused of the petitioner) was apprehended along with above said grey colored Activa Scooter and from search of front space of said Activa Scooter one black colored polythene carrying 250 stripes of TRAMWEL SR 100 Tramadol Prolonged-release Tablets IP with erased Batch Nos., each strip containing 10 tablets (in total 2500 intoxicant tablets) was recovered.

5. During the course of investigation main accused Satnam Singh @ Satta disclosed that petitioner gave him detail of supplier, on the basis of disclosure statement, petitioner was



arraigned as an accused.

6. The petitioner’s counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, or commits any offence under the NDPS Act, where the quantity involved is more than half of the intermediate, or commercial quantity, or violates S. 19, or 24, or 27-A of the NDPS Act, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

7. The State’s counsel opposes the bail and refers status report.

REASONING:

8. Given the quantity of intoxicant tablets which contain Tramadol Hydrochloride, rigors of Section 37 of NDPS Act apply in this case. Petitioner was arraigned as accused based on disclosure statement of co-accused and nothing recovered from the petitioner and as per custody certificate dated 16.01.2025, custody was 2 year 3 months & 15 days and has been granted interim bail vide order dated 13.02.2025. As such, rigors of Section 37 of NDPS Act stand satisfied.

9. There is sufficient prima facie evidence connecting the petitioner with the alleged offense. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Petitioner was granted interim bail, there is no allegation that in the interregnum, petitioner threatened witnesses or hampered with the trial. As such, no grant is made out to discontinue the interim protection.

10. Given above, petition allowed in terms mentioned above. Interim order dated 13.02.2025 is made absolute. All pending applications, if any, stand disposed of.

01.08.2025

Priyanka Thakur

(ANOOP CHITKARA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No