

2026:PHHC:002819-DB



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

**SR. NO.113**

**CRA-D-1293-2024**

**DATE OF DECISION:13.01.2026**

**HARPREET SINGH @ HAPPY @ BILLA**

**...APPELLANT(S)**

**VERSUS**

**STATE OF PUNJAB**

**...RESPONDENT(S)**

**CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT  
HON'BLE MR. JUSTICE H.S. GREWAL**

**Present:** Mr. Kamal Chaudhary, Advocate  
for the appellant

Mr. Bhanu Pratap, Addl. Advocate General, Punjab with  
Mr. Deepender Singh, AAG, Punjab.

**N.S. SHEKHAWAT, J.**

1. The appellant has moved the present appeal before this Court against the order dated 18.11.2022 passed by the Additional Sessions Judge, Tarn Taran, whereby an application for grant of regular bail filed by the appellant, was ordered to be dismissed in a case arising out of FIR No.142 dated 07.09.2022 registered under Sections 389 and 120-B IPC, Sections 25(6), 25(7)(i) of the Arms Act, Sections 4 and 5 of Explosive Act, Sections 21/29/61/85 of the NDPS Act, Sections 13, 16, 17, 18, 18-B and 20 of the Unlawful Activities (Prevention) Act, 1967 at Police Station Tarn Taran.

2. The FIR was initially registered on the basis of a secret information received by the police to the effect that Lakhbir Singh @ Landa son of Naranjan Singh and Harminder Singh @ Harinder Singh @ Rinda son of Charan Singh, who are gangsters, were operating their network from

abroad to get smuggled heroin, arms, ammunitions, explosives and hand grenades into India from across the border and that for the said purpose the aforesaid two persons have recruited in their gang Satbir Singh @ Satnam Singh @ Satta son of Jaswant Singh, Nachhatar Singh @ Moti son of Partap Singh, Sukhdev Singh @ Shera, Charat Singh @ Charta son of Karaj Singh, Arashdeep Singh @ Bathi son of Nishan Singh, Shamsher Singh @ Shera, Jaisal Singh son of Raju Pehlwan, Gurjant Singh @ Janta son of Mangwinder Singh @ Manga, Mahabir Singh son of Bittu Singh, Sadhbir Singh son of Kartar Singh, Manjinder Singh @ Manna son of Satnam Singh, Jagroop Singh @ Simma son of Dilbagh Singh, Lovepreet Singh @ Love @ Bhund son of Dilbagh Singh, Sukhwinder Singh @ Sikki son of Lohra Singh, Harpreet Singh @ Happy @ Billa son of Baljit Singh, Romi son of late Amrik Singh, Robanpreet Singh @ Roban, Gurlal Singh @ Lali Pehlwan, Daljit Singh, Harjit Singh @ Jita, Jashan, Harpreet Singh, Honey and Gurkirat Singh @ Ghugi @ Shooter.

3. After the receipt of secret information, an FIR was registered against the aforesaid accused and a barricade was set up by the police at Sohana bridge where they noticed three persons coming on a black motorcycle, without any registration number. The police stopped these three persons and they were questioned. They disclosed their names as Harpreet Singh @ Happy @ Billa, i.e. the appellant, Nachattar Sikngh @ Moti son of Partap Singh and Sukhdev Singh @ Shera. Nachattar Sikngh @ Moti disclosed about his involvement in the crime and also about the involvement of other persons. Nachattar Singh disclosed that Jograj Singh @ Jog used to carry consignments sent by Harinder Singh @ Harminder Singh @ Rinda

from the Indo-Pak Border. After the completion of investigation, the challan was presented before the competent court of law.

4. Learned counsel for the appellant vehemently argued that initially three persons were arrested by the police including the present appellant, however during investigation, no evidence was collected by the police to connect him with the commission of crime. Even it was wrongly shown that an amount of Rs.50,000/- was recovered from the appellant. In fact, at the spot, no recovery was effected from him and the amount of Rs. 50,000/- was taken from his house where he is living in a joint family. He has referred to the account statement of the petitioner (Annexure A-2) to contend that an amount of Rs.25,000/- was withdrawn by him on 05.09.2022 and an amount of Rs.10,000/- was withdrawn on 7.09.2022, whereas the remaining amount of Rs.15,000 /- belonged to his brother and the police has shown the recovery of the said amount from the appellant.

5. Learned counsel next contends that the appellant was arrested in the present case on 07.09.2022 and is in custody since then. While he was in custody in the present case, he was involved in another FIR No.10 dated 22.01.2022 registered under Sections 379-B IPC and Section 25 of the Arms Act (Section 201 IPC added later on) at Police Station Sarhali. However, vide order dated 6.8.2024 (Annexure A-3), he has been granted the concession of bail by the trial court in FIR No.10 dated 22.01.2022.

6. Learned counsel for the appellant further submitted that Sukhdev Singh alias Shera, co-accused, who was also arrested at the spot along with the appellant, has already been granted the concession of bail by this court on 16.10.2024 and on parity, the appellant is also entitled to be released on bail.

7. On the other hand, learned state counsel has vehemently opposed the submissions made by learned counsel for the appellant on the ground that the appellant along with his co-accused are involved in dacoity, collecting ransom money, murders, etc. and he is a part of the group, which is engaged in anti-national activities. However, he could not dispute the fact that the appellant is in custody since 07.09.2022, i.e., more than 03 years and 04 months. It is also not in dispute that Sukhdev Singh alias Shera, who was also arrested along with the appellant, had already been granted the concession of bail by this Court on 16.10.2024.

8. We have heard learned counsel for the parties and perused the record carefully.

9. It is not in dispute that the appellant is continuing in custody for the last more than 03 years and 04 months and Sukhdev Singh@ Shera, his similarly placed co-accused, has already been granted the concession of bail by this court. Apart from that, co-accused Jograj Singh alias Jog, Manjinder Singh, Simranjit Singh, Ranjit Singh @ Harjit Singh, Gurjanshanpreet Singh, Satnam Singh and Gurlal Singh have also been granted the concession of bail by this court on different dates in the year 2024 itself.

10. Consequently, at this stage without commenting anything on the merits of the case, the present appeal is allowed and the appellant is ordered to be released on regular bail on the following conditions:-

- (i) He shall furnish bond of ₹1 lakh with two sureties of ₹1 lakh each;
- (ii) He shall surrender his passport in the trial Court, if he is holding the same and is still with him;
- (iii) He shall appear before Trial Court on each and every date unless exempted by Court;

- (iv) He shall appear before the Investigating Officer as and when summoned;
- v) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or who is cited as witness;
- vi) He shall not involve in any criminal activity and if during the pendency of trial, he is found involved in commission of any offence punishable under UAPA, the prosecuting agency would be free to approach this court for recalling this order and cancellation of his bail;
- vii) He shall not sell, transfer or in any other manner create third party right over his immovable property;
- viii) He shall furnish an undertaking to the effect that in case of their absence, Trial Court may proceed with trial and he shall not claim re-examination of any witness.
- ix) At the time of release of the appellant, the concerned SHO shall be informed. He shall appear before the SHO on every alternate Monday till the conclusion of the trial.

11. In case there is any breach of any of the aforementioned conditions, the prosecution would be at liberty to move an appropriate application before this court for cancellation of bail granted to the appellant.

**(N.S.SHEKHAWAT)**  
**JUDGE**

**(H.S.GREWAL)**  
**JUDGE**

**13.01.2026**  
mks

Whether Speaking/Reasoned: YES / NO  
Whether Reportable: YES / NO