



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

210

CRM-M-16331-2025 (O&M)  
Date of decision: 23.09.2025

Harpreet Singh @ Happy

....Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

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Present : Mr. Rishu Mahajan, Advocate for the petitioner

Mr. M.S. Bajwa, DAG Punjab

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**AMAN CHAUDHARY, J. (ORAL)**

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.92 dated 16.05.2022, registered under Sections 21/23/29/59 of NDPS Act (Section 27-A/29/59(2) of NDPS Act added later on), Section 25 of Arms Act, Section 13/18 of Unlawful Activities Act, 1967 and Sections 7, 13(1)(a) and 13(2) PC Act, at Police Station Special Task Force, STF Wing.

2. Learned counsel contends that the petitioner has been in custody for 3 years and little over 4 months. He alleges false implication. His name surfaced based on the disclosure statement of co-accused Surmukh Singh, from whom no contraband was recovered, though some explosives stated to have been smuggled, is still in custody, he had been further named by Lakhbir and Sarabjeet Singh @



Satnam, from whom 500 grams of Heroin was recovered. Co-accused Sawinder Singh @ Bhola, who stated that the petitioner had purchased 100/200 of heroin from him on several occasions, has been granted bail by this Court vide order dated 09.09.2025 after being in custody for 3 years and more than 3 months. No recovery has been effected from the petitioner. Charges have been framed on 24.02.2023, however, out of 44 prosecution witnesses, only 21 have been examined, despite the issuance of non-bailable warrants to procure their presence. There is no other case registered against the petitioner.

3. The custody certificate along with status report dated 22.09.2025, filed by the learned State counsel are taken on record. As per the same, the petitioner is behind bars for 3 years, 4 months and 2 days.

4. Learned State counsel opposes the bail on the ground that as per the statements of co-accused, the petitioner is the main supplier of contraband, which has been recovered from co-accused Sawinder Singh @ Bhola and Dilbag Singh @ Bugo. However, he is unable to controvert the submissions with regard to stage of the case, co-accused having been granted bail and the petitioner not being involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 3 years, 4 months and 2 days; not involved in any other case; co-accused enlarged on bail; charges stand framed on 24.02.2023, however, 21 out of 44 prosecution witnesses, have been examined so far, the trial is likely to take a considerable time, further incarceration of the



petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as



granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

**(AMAN CHAUDHARY)**  
**JUDGE**

**23.09.2025**

M.Kamra

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