

CNR No: PHHC010762232026

2026:PHHC:107002



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

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CRM-M-26755-2026 (O&M)

Date of decision : 6th August, 2026

Harpal Singh @ Harbahal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Kuljit Singh Bal, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking the concession of regular bail to the petitioner in FIR No.07 dated 07.02.2026, registered under Sections 3, 4, 5 and 9 of the Official Secrets Act, 1923 and Section 61(2) of the Bharatiya Nyaya Sanhita, 2023 at Police Station State Special Operation Cell, District Amritsar.

2. As per the allegations, a secret informer approached SI Harpreet Singh while he was present at Police Station State Special Operation Cell, Amritsar and disclosed that the petitioner, an ex-serviceman presently posted with the Defence Service Corps at Air Force Station, Bikaner, was in contact with officials of Pakistani intelligence agencies through various social media applications. It was informed that by using his old contacts in the Indian Army,

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the petitioner used to collect highly confidential information regarding Army movements and other sensitive information concerning the security, unity and integrity of the country and transmit the same to Pakistan at the instance of Pakistani intelligence agencies in lieu of monetary consideration received through hawala and other means. It was further alleged that on the day of the occurrence, the petitioner had been assigned the task of collecting information regarding enhanced Army movements in the Amritsar Cantonment area and that he would be moving around the cantonment and adjoining areas to collect such information. Acting upon the secret information, the aforementioned FIR was registered and investigation proceedings were initiated. The petitioner was arrested on 07.02.2026. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is an ex-serviceman who served in the Indian Army for nearly seventeen years with an unblemished service record. He was not apprehended from any prohibited or sensitive military area but was illegally picked up from a marriage function. The allegations in the FIR are vague and general in nature and do not disclose the specific nature of the alleged confidential information, the exact mode of transmission or any concrete instance of communication with any foreign agency. There is no material to establish that the petitioner had ever transmitted any secret information to any person. The allegation regarding receipt of ₹3,000/- is misconceived as the amount was received from one Gurcharan Singh, who is known to the petitioner and not from the alleged handler. The investigation already stands concluded and the challan has been presented. The petitioner

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has been in custody since 07.02.2026. He has clean antecedents. Conclusion of trial would take considerable time. His custodial interrogation is no more required. His continued detention would not served any useful purpose. Hence, it is urged that the petition deserves to be allowed.

4. Status report and the custody certificate of the petitioner have been filed. Learned State counsel has argued that there are serious and specific allegations against the petitioner. During the course of investigation, it has been found that the petitioner was in constant contact with Pakistan based intelligence over phone. Considering the gravity of the allegations and their bearing on national security, the petitioner does not deserve the concession of regular bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to have established contact with officials of Pakistani intelligence agencies through various social media platforms and, by virtue of his previous association with the Indian Army, collected and transmitted them the confidential information relating to Army movements, war preparations and military formations. He is also alleged to have monetary consideration for such activities. During the course of investigation, it has been found that the petitioner was in constant touch with intelligence agencies of Pakistan over phone. The allegations him are quite serious. Having regard to the seriousness of the allegations, the nature of the material collected during investigation and the larger public interest involved, this Court does not find it to be a fit case for extending the concession of regular bail to the petitioner at this stage. Accordingly, finding no merit in the present petition, the same is

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dismissed.

7. It is, however, clarified that nothing observed herein shall be construed as an expression on the merits of the case and the learned trial Court shall proceed independently, uninfluenced by any observations made in the present order.

6th August, 2026
Parveen Sharma

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No