

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

CRM-M-25009-2025
Reserved on: -02.07.2025
Pronounced on:15.07.2025

RAHUL @ DANA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Kirandeep Kaur, Advocate for the petitioner.

Ms. Pooja Nayar Sharma, DAG, Punjab

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
206	15.07.2023	City Kharar, District SAS Nagar	25 of Arms Act (Section 25(7) (8) of Arms Act, 1959 added later on)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. Per paragraph 11 of the bail application and the reply/custody certificate, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date/Year	Offenses	Police Station
1.	339	18.11.2014	21 of NDPS Act, 1985	Jandiala
2.	034	07.03.2019	22 of NDPS Act, 1985	Mehta
3.	231	21.10.2018	397/34/307/14/149/201 IPC	Jandiala
4.	427	04.11.2023	21 of NDPS Act	City Faridkot
5.	70	13.11.2047	307/336/34 IPC	Dhilwan
6.	2	03.01.2021	457/380 IPC	Civil Batala
7.	35	08.03.2018	25 of Arms Act	Mehta
8.	438	20.09.2020	427 IPC and Section 52 Prison Act	Islamabad, Amritsar
9.	203	30.09.2018	307/148/149 IPC and Section 25 of Arms Act, 1959	Jandiala

10.	226	19.10.2018	307/14/149/201-B of IPC	Jandiala
11.	182	02.05.2021	307/148/149 IPC and Section 25 of Arms Act, 1959	Jandiala
12.	326	21.11.2019	42/52-A Prisons Act	Islamabad, Amritsar
13.	428	10.10.2022	42/52-A Prisons Act	City Faridkot
14.	506	13.12.2022	42/52-A Prison Act	City Faridkot
15.	511	15.12.2022	42/52-A Prison Act	City Faridkot
16.	535	29.12.2022	352/186 IPC and Sections 42/52-A Prison Act	City Faridkot
17.	421	29.11.2023	607/365/323/324/148/149/504/506 /120-B IPC	City Faridkot
18.	187	27.04.2023	25(2) of Arms Act, 1959	Jandiala
19.	252	19.07.2023	42/52-A Prisons Act	City Faridkot
20.	118 (convicted)	15.06.2021	21/22 of NDPS Act	City Hoshiarpur
21.	117 (convicted)	15.06.2021	21/22 of NDPS Act, 1958	City Hoshiarpur
22.	228 (convicted)	04.10.2015	21 of NDPS Act	Jandiala
23.	270	30.06.2022	42/52-A Prisons Act	Islamabad, Amritsar

3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“xxx xxx xxx xxx

6. That the brief facts of the case are that the present FIR has been registered on the basis of secret information to the effect that the gangsters namely Prince Chauhan and Sandeep Singh @ Kala Rana, who are living abroad Canada/America, are used to get gunshots fired upon the persons, who refused to pay ransom in the area of Mohali, Chandigarh and Panchkula. It has been further alleged that one of the co-accused Deepak Singh @ Rana of the present case, used to get the aforesaid gangsters living abroad connected through his mobile phone by using ZANGI App with their local henchmen. It has been further alleged that the aforesaid co-accused Deepak Singh @ Rana also used to operate and arrange for the bank accounts of the aforesaid gangsters living abroad, as these bank accounts were used by these gangsters for obtaining ransom money. It has been further alleged that the secret informer has further informed that the aforesaid co-accused Deepak Singh @ Rana used to roam in the area of Chandigarh, Mohali etc. while armed with weapons. Thereafter, the present FIR was registered.

4. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR on the basis of disclosure statement. There is no incriminating evidence has come on record during investigation to connect the petitioner with alleged crime. He further submits that the main accused and similarly situated co-accused has been granted concession of regular bail by this Court.

5. Counsel for the petitioner, on instructions, submits that in case, this Court grants bail to the petitioner, he undertakes to live like a decent human being and a civilized member of the society. He further undertakes that if he is again indulged in any offence where the sentence is more than 07 years, he would have no objection, if State files any application for cancellation of his bail. He further contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

6. The State’s counsel opposes bail and refers to the reply.

REASONING:

7. There is sufficient primafacie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per paragraph 07 of the bail petition, the petitioner has been in custody since 18.07.2023. Per the custody certificate dated 01.07.2025, the petitioner’s total custody in this FIR is 06 months and 08 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the primafacie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner’s complying with the following terms.

12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

13. *This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.*

14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

16. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

15.07.2025
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Whether speaking/reasoned: Yes

Whether reportable: No.