



CRM-M-28666-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-28666-2024

Date of decision: 11th December, 2024

Sandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. S.S. Grewal, Advocate for the petitioner.

Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking grant of regular bail in case bearing FIR No. 9 dated 30.03.2024 registered under Sections 120-B of IPC, 1860 and 25, 25(7) of Arms Act, 1959 at Police Station State Special Operations Cell, SAS Nagar, Punjab.

2. As per the allegations, on 30.03.2024, on receipt of a secret information to the effect that the petitioner along with the co-accused who constituted a gang, had brought illicit weapons from Madhya Pradesh and were planing to commit some crime. It was also informed that they were going from Haryana towards Punjab, while carrying a huge consignment of illegal weapons in a swift make vehicle and could be apprehended. Believing the secret information to be true, a raiding party was immediately formed. The swift car was intercepted. The petitioner along with co-accused



were apprehended. On conducting search, one pistol .32 bore having two live cartridges was recovered from the petitioner. That apart five pistols .32 bore and ten magazines were recovered from the vehicle, whereas pistols and cartridges were recovered from the co-accused also. The petitioner and co-accused were formally arrested. Investigation has since been completed and they are facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 01.04.2024. No evidence has been collected by the prosecution to show that the petitioner was a member of some gang. The ingredients of offence under Section 25(7) of Arms Act are not attracted. The petitioner does not have any criminal antecedents. Trial is likely to take time. Therefore, it is urged that the petitioner deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner is in custody since 01.04.2024. Investigation stands completed. Trial is likely to take time. It is only on the basis of thorough evaluation of the evidence to be produced during trial that it can be determined, as to whether, the petitioner was a member of an organized crime syndicate or not. Keeping in view the period of incarceration of the



petitioner and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

11th December, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |