



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.45460 of 2024
Date of Decision: 05.11.2024

Amit Chaprana... Petitioner

Versus

State of Haryana... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Saleem Ahmed, Advocate,
for the petitioner.

Ms. Nidhi Garg, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
403	11.07.2024	Suraj Kund, District Faridabad	25 of Arms Act, 1959

2. As per the prosecution case, on 11.07.2024, on receipt of a secret information that the petitioner was carrying illicit weapons in a vehicle and could be apprehended, a nakabandi was formed near Mavla Maharajpur underpass. The petitioner who came in a car bearing registration No.DL 2C AV 8068 was stopped. On conducting search of his car, seven countrymade pistols including a countrymade rifle with

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ammunition and six numbers of countrymade pistols besides a knife were recovered from the boot of his car. He failed to produce any permit or licence for possessing the same. The weapons were taken into custody. The petitioner was formally arrested. On the basis of his disclosure statement, the co-accused Rahul was arrested. The investigation has since been completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 11.07.2024. His custodial interrogation is no more required. Trial is likely to take time. No useful purpose would be served by keeping him in custody. The subject offences are triable by Magistrate. Therefore, it is urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that there are serious allegations against the petitioner as huge cache of arms was recovered from him. There are chances of committing similar offences or absconding if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

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

6. The petitioner is alleged to be found in possession of seven countrymade pistols including a countrymade rifle with ammunition and six numbers of countrymade pistols besides a knife. Investigation has since been completed. Challan has been presented. Trial is likely to take time. The co-accused has been extended benefit of bail. The petitioner is in custody since 11.07.2024. The subject offences are triable by Magistrate. Keeping in view

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the period of his incarceration, the nature of the subject offence and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, 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 admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court.

05.11.2024
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(MANISHA BATRA)
JUDGE

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