



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

227

CRM-M-5660-2025

Date of decision: 6th March, 2025

Gurlal Singh @ Dimma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Piyush Sharma, Advocate for the petitioner.

Ms. Swati Batra, Deputy Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 56 dated 13.09.2024 registered under Section 25 of Arms Act, 1959 and Section 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station State Special Operation Cell, Amritsar, District Intelligence Wingh (CID) (Tarn Taran).

2. Brief facts of the case relevant for the purpose of disposal of this petition are that as per the allegations, on receipt of a secret information, on 13.09.2024 to the effect that accused Raja Singh and Jarman Singh were engaged in sending consignment of weapons through drones in the cross border area and were having large consignment of weapons at that time for the purpose of distribution thereof on instructions of smugglers from



Pakistan, a raiding party was immediately formed which reached at the informed place and apprehended the co-accused Raja Singh and Jarman Singh. On conducting search, one pistol each of GLOCK 9MM made, with magazine was recovered from custody. They were formally arrested. On interrogation, they suffered disclosure statements to the effect that they were indulged in illegal smuggling of weapons across the border and used to pick up weapons dropped by drone on the Indian Soil and sell them further. During the investigation, it was revealed that the petitioner was also involved in smuggling activities with the above named accused and was associated with a Pakistan based smuggler. He was nominated as such. He was arrested on 16.09.2024. A mobile phone was recovered from him. Investigation has since been completed and challan has been presented.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No incriminating material has been recovered from him. Investigation has completed. Trial is likely to take time. No evidence has been collected by the prosecution to connect him with the subject offences. His further incarceration would not serve any useful purpose. The co-accused Jarman Singh and Raja Singh, who were apprehended from the spot have been extended benefit of bail. His case is even at better footing and he too deserves to be released on bail. Accordingly, it has been urged that the petition deserves to be allowed.

4. Status report has been filed by respondent-State. It is argued by learned Deputy Advocate General, Punjab that in view of the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail especially when he has criminal antecedents and is



involved in another case of NDPS Act.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to be involved in smuggling of weapons across border and selling them further. No recovery has been effected from him. He is in custody since 16.09.2024. Co-accused have already been released on bail. In view of the above discussed facts but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petitioner deserves to be released on bail. Accordingly, the petition 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

6th March, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*