

2025:PHHC:176346



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

**214**

**CRM-M No.8654 of 2025  
Date of Decision: 19.12.2025**

Nishan Singh ... Petitioner  
Versus  
State of Punjab ... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Nandan Jindal, Advocate,  
for the petitioner.  
  
Ms. Sakshi Bakshi, AAG, Punjab,  
for the respondent-State.

\*\*\*

**MANISHA BATRA, J. (Oral)**

1. The petitioner is seeking indulgence of this Court by filing this petition for grant of regular bail in case arising out of FIR No.06 dated 23.08.2022 registered under Sections 153, 153-A and 120-B of IPC and 25 of Arms Act, 1959 (Sections 212 and 216 of IPC and Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 added later on) at Police Station State Special Operations Cell, SAS Nagar, District Intelligence Wing (SSOC).

2. Brief facts relevant for the purpose of disposal of this petition are that on 23.08.2022, a secret information was received to the effect that one Lakhbir Singh @ Landa who was now residing in Canada, had been engaged in the business of supply of illicit arms and ammunitions and funding by illegal means in connivance with Satnam

2025:PHHC:176346



Singh @ Satta, Gurlal Singh @ Lally, Rajan Bhatti and some unknown persons. It was also informed that he was a follower of Khalistani Separatist Ideology and intended to create disturbance in the name of religion at the instance of ISI by targeting the political leaders and leaders of religious organization to disturb the peace of State of Punjab. FIR was registered. Investigation proceedings were initiated.

3. As per the further allegations, during the course of investigation, a secret input was received on 23.11.2022 to the effect that the accused Kamaljit Singh and Harjasneet Singh Chahal were harbouring accused Rajan Bhatti and Lakhbir Singh @ Landa in their illegal operations and accused Rajan Bhatti was hiding in their village. Both of them were arrested on 23.11.2022 from a house situated in Sushant City, Bhatinda. Accused Rajan Bhatti managed to escape. Recoveries of illicit weapons were effected from them. Accused Gurlal Singh was arrested on 23.08.2022 who suffered disclosure statement to the effect that he brought eight pistols from Madhya Pradesh on the asking of accused Lakhbir Singh @ Landa and that the petitioner and co-accused Lovejit Singh lodged in jail were close associates of Lakhbir Singh @ Landa and used to arrange supply of weapons to operators of accused Lakhbir Singh @ Landa and to provide shelter to them. The petitioner was nominated as additional accused. He was lodged in Faridkot jail. His presence was secured through production warrants. He too suffered disclosure statement. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has

2025:PHHC:176346



been falsely implicated in this case. He is in custody for a period of about 03 years, 03 months and 19 days. No recovery has been effected from him. The disclosure statement allegedly suffered by the co-accused is not made part of the challan report. The same can even otherwise not be considered to be admissible in evidence. The co-accused Gurlal Singh has already been extended benefit of bail. No specific act has been attributed to him. He is facing wrath of DSP Lakhbir Singh whose demand for illegal gratification had not been fulfilled by him. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. He cannot be denied benefit of bail because of his involvement in other cases. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned Assistant Advocate General, Punjab in compliance of directions issued on 06.11.2025 has placed on record a copy of disclosure statement of the co-accused Gurlal Singh. It is, however, admitted by the Investigating Officer present in the Court that this disclosure statement was not made part of the challan report. It is argued that the petitioner is a habitual offender who has remained involved in as many as 21 cases. He was a part of an organized criminal and terror network operated by Lakhbir Singh @ Landa gang. There are chances of his committing similar offences or absconding, if extended benefit of bail. It is, thus, stressed that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner was nominated as an accused on the basis of

2025:PHHC:176346



disclosure statement allegedly suffered by co-accused Gurlal Singh. However, as mentioned above, this statement itself is not even made part of the challan report. The allegations against the petitioner are that he had been arranging to supply weapons to the operators of co-accused Lakhbir Singh @ Landa at his instance. No recovery has, however, been effected from him. It is only on thorough assessment of the evidence to be produced during trial that any inference as to the petitioner's committing the subject offences can be drawn. He is in custody since 30.08.2022 i.e. for a period of 03 years, 03 months and 19 days. Even charges have not been framed in this case. There is nothing on record to show that the delay in trial is attributable to the petitioner. It is well settled proposition of law that an accused cannot be kept in custody for an indefinite period of time. Every day spent in custody can provide a new cause of action for filing a bail application under certain circumstances. This principle is a part of the broader approach emphasizing that law prefers bail over jail, aiming to balance the rights of the accused with the requirements of the criminal justice system. Prolonged detention itself is a ground for reconsideration of the bail since the settled principle of law is that detention prior to trial should not become punitive.

8. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal bonds as well as surety bonds by two sureties in the like amount each to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and on the following conditions:-

2025:PHHC:176346



- (i) The petitioner shall appear before the SHO of concerned Police Station once on the first Monday of every month.
- (ii) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.
- (iii) He shall not leave the country under any circumstance without permission of the learned trial Court.
- (iv) He shall appear before the learned trial Court as and when directed unless his presence is otherwise exempted.
- (v) He shall provide his permanent address (if any) as well as present address before the learned trial Court at the time of furnishing of bonds and shall not change the same without informing the trial Court.
- (vi) He shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court at the time of furnishing of bonds and in case, any change in his mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance and shall keep his mobile phone switch on all times during trial.
- (vii) He shall deposit his passport, if any, with the learned trial Court.

9.

It is, however, clarified that the observations made hereinabove



shall not be construed as an expression of opinion on the merits of the case  
and shall not influence the outcome of the trial.

19.12.2025  
manju

(MANISHA BATRA)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |