



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

CRM-M-7768-2025

Date of decision : 17.02.2025

Gurpreet Singh @ Gopi

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sunil Kumar Garg, Advocate
for the petitioner (Through VC).

Mr. J.S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.15 dated 04.09.2023, under Section 25 subsequently Section 25(8) of the Arms Act and Section 120-B of IPC also added, registered at Police Station State Special Operation Cell SAS Nagar, District Intelligence Wing (CID).

2. Succinctly, facts of the case are that the police party on 04.09.2023 received a secret information to the effect that Jagmohan Singh @ Gabbar, Manjit Singh along with other unknown persons used to bring illegal weapons from Madhya Pradesh and Gujarat and used to supply them in Punjab. Gursewak Singh @ Sewak and Inderjit Singh @ Sonu Fauji are the main persons of this gang. Jagmohan Singh @ Gabbar was coming on Vehicle No.GJ-12-BX-4725 and Manjit Singh was coming on vehicle No.PB-07-BS-6591 and they were coming from Gujarat with illegal weapons towards Chandigarh Transport Nagar and in case of naqabandi, the accused persons along with illegal weapons could be apprehended. On receiving the secret information, the raiding party was



constituted and the accused were apprehended. On their apprehension, one pistol of .32 bore was recovered from each of them. During investigation, petitioner was implicated in the present case on the basis of disclosure statement made by co-accused. At that time, petitioner was in Goindwal Sahib Jail in some other case. He approached the Court of learned Additional Sessions Judge, SAS Nagar praying for grant of regular bail. However, after hearing both the sides, the same was declined by the learned Additional Sessions Judge, SAS Nagar vide order dated 01.08.2024. Hence, being aggrieved, petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has stated that petitioner has been falsely implicated in the present case on the basis of disclosure statement suffered by co-accused. He has further stated that neither the accused was arrested at the spot nor any recovery was effected from him. He has stated that co-accused of the petitioner namely, Jagmohan Singh Gill @ Jagmohan Singh @ Gabbar, Manjit Singh and Inderjit Singh have already been granted bail by this Court vide orders dated 02.02.2024, 06.03.2024, 22.05.2024. He has further stated that petitioner is in custody for the last 1½ years and the trial of the case will take sufficient long time for its conclusion and no purpose would be served by keeping the petitioner in custody for such a long time and as such, petitioner is entitled to be released on bail especially when his co-accused have already been granted bail by this Court.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that in all there are 07 accused, out of which, 05 accused are already on bail. He has further



submitted that investigation is already complete and challan is presented and now the case is fixed for framing of charge. Custody certificate has been filed by learned State counsel which shows that petitioner is in custody for about 1½ years and there are two more cases pending against him. He submits that in the facts and circumstances of the case, petitioner does not deserve to be granted bail.

5. After hearing counsel for the parties and perusing the record, it is evident that name of the petitioner figured in the present case on the basis of disclosure statement suffered by co-accused, on the basis of which, he was nominated as an accused in the present case. Admittedly, neither petitioner was arrested at the spot nor any recovery was effected from him. Co-accused namely, Jagmohan Singh Gill @ Jagmohan Singh @ Gabbar, Manjit Singh and Inderjit Singh have already been granted bail by this Court vide orders dated 02.02.2024, 06.03.2024, 22.05.2024. Custody certificate shows that petitioner is in custody for the last about 01 year and 05 months. As submitted by learned State counsel, investigation is already complete, challan is presented and now the case is fixed for framing of the charge. The trial of the case is at the initial stage and the same will take sufficient long time for its conclusion. Custody certificate shows that there are other cases pending against the petitioner.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the



present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case. If the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present cases.

17.02.2025
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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