

2025:PHHC:111588



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

247 (two cases)

CRM M-12177 of 2025
Date of Decision: 25.08.2025

1.

Rahul @ Kamal

Petitioner

Vs.

State of Haryana

Respondent

2.

CRM M-17017 of 2025

Subhash @ Pehelwan
@ Shubi

Petitioner

Vs.

State of Haryana

Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sagar Sharma, Advocate
for the petitioner in CRM M-12177-2025.

Mr. Govind Chauhan, Advocate
for the petitioner in CRM M-17017 of 2025.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. This order shall dispose of two petitions, i.e., CRM M-12177-2025 titled as **“Rahul @ Kamal Vs. State of Haryana”** and CRM M-17017 of 2025 titled as **“Subhash @ Pehelwan @ Shubi Vs. State of Haryana”**, whereby, the petitioners have prayed for concession of regular bail in FIR No. 437 dated 22.07.2024 under Section 111(2)(b) of BNS, 2023 and Section 25(6) of Arms Act, Section 12 of Passport Act 1967 (Sections 61, 336 (2),

337 and 199 of BNS and Section 13 of Prevention of Corruption Act registered at Police Station Indri, District Karnal.

2. The FIR in the present case was registered on the basis of the statement made by Sub-Inspector Randeep Singh and the same has been reproduced below:-

“To, SHO, Police Station: Indri, District Karnal. I, Assistant Sub Inspector Randeep Singh 1037 Kaithal, am deputed as Investigating officer at Special Task Force, Karnal. The team of Special Task force Karnal from the past long time has been working on the criminal gang of Sonu Ladwa, who has been doing criminal activities while sitting abroad. In order to apprehend the active members of this gang, many secret informer have been deputed and inquiry has also been conducted from many persons in secret manner. Today on 22.07.2024, I along with fellow officials Head Constable Satish Kumar 311 PPT, Constable Narender Kumar 504 Karnal, Constable Sandeep 1782 SPT along with Government vehicle HR26GV 4141, driver Constable Bittu 2442 SPT along with LAPTOP PRINTER by riding in the same were present at area of Indri then secret informer personally met me and told that active member of Sonu Ladwa gang namely Manpreet Singh @ Manni son of Baljit Singh, resident of Ward No. 9, Krishna Colony, Ladwa, District Kurukshetra, is absconding since long time in many criminal activities and against whom earlier also challan in many cases has been submitted in the court. Manpreet was also involved in the incident of firing which took place in VIP colony at Ladwa on 8/9 July. Manpreet in order to commit some criminal activities of his gang is present on the way/passage going from Village Jamsro to Village Gorgarh. Manpreet is wearing red color TSHIRT CAP and black color pant and is carrying one blue and orange color back pack. Manpreet

*is having illegal arm, if raid is conducted immediately then Manpreet can be apprehended along with arms. The information was trust worthy and regarding organized crime and illegal weapons. Regarding this information, the fellow officials were informed and necessary instructions were given regarding raid. As per the above information, on the way /road going from Village Jansru to village Gorgarh, near the kotha (room) constructed in the field on the right side, a young person of the aforesaid appearance was seen, who on seeing the police party tried to run towards the fields, who was apprehended by the fellow officials by showing agility and name and address was asked then that person told his name to be Manpreet Singh @ Manni son of Baljit Singh, resident of Ward No. 9, Krishna Colony, Ladwa, District Kurukshetra. At the same time, Sandeep son of Ramesh Kumar, House No. 297, Ramnagar, Karnal who was passing from there, was requested to become witness, who gave his consent for becoming witness. The body search of the above person and that of apprehended bag was conducted as per rules. During the search, many weapons and many live cartridges from one handkerchief were recovered from the bag of the person. Upon checking the weapons, one pistol 30 bore with 07 live cartridges, one pistol 32 bore with 50 live cartridges and one country made pistol 315 bore with 02 cartridges were recovered. Upon checking the country made pistol 30 bore, the color of the pistol was found color silver, upon taking out the magazine of the same and check it, it was found unload. Butt of the pistol is wooden. The length of slide of country made 30 bore 21.1 cm, length of barrel 12.7 cm and length of butt 10.5 cm were found. On bottom of all the cartridges of 30 bore S&B 7.62*25 is engraved. I put my identification mark R1 on the butt of the pistol. Upon checking the country made pistol 32 bore the color of pistol was found*

silver, upon taking out the magazine of the same and checking it, it was found unload. The butt of the pistol is of dark brown wood. The length of slide of country made pistol 32 bore was found 15.6 cm, length of barrel 11.1 cm and length of butt 9.1 cm. On the bottom of all the cartridges of 32 bore K.F. 7.65 was engraved. I put my identification mark R2 on the butt of the pistol. Upon checking the country made pistol 315 bore, country made pistol was found to be of silver color, which upon checking by opening was found unload. The butt of country made pistol is of dark green color. Barrel catch, hammer and trigger is there in country made pistol. The length of barrel of country made pistol 13.5 cm, length of body 11.5 cm and length of butt 8 cm. on the bottom of all the cartridges of 315 bore BMM KF is engraved. On the butt of country made pistol, I put my identification mark R2. The separate parcel of the recovered country made pistol 30 bore and 7 cartridges, country made pistol and 50 cartridges and country made pistol 315 bore and 02 cartridges were prepared. On which, Manpreet, witnesses and fellow officials Head Constable Satish Kumar, Constable Narender and Private witness Sandeep have put their respective signatures. By putting the recovered country made pistol 30 bore and 07 cartridges in plastic box, parcel was prepared, parcel of country made pistol 32 bore and 50 cartridges was separately prepared and parcel of country made pistol 315 bore along with 02 cartridges was separately prepared. All the three parcels were sealed with my one seal of NK and sample seal was separately prepared. The seal after use was handed over to Head Constable Satish Kumar. That part from the above weapons, from the pocket of the bag of above Harpreet one passport of India republic was obtained, upon checking the passport the Passport number was found B910880, which was found to be issued in the name of Pawan Kumar, on

which photo of Manpreet above has been put. On the passport father's name is Lakmi Chand and mother's name Tara Devi and address Old Chapel Nissing is recorded. Passport has been issued from Shimla on 15.01.2024. Upon asking about the same, above Manpreet told that the same has been illegally got prepared. The recovered weapons and fake passport was taken into police possession through memo, on which Manpreet and fellow officials, Head Constable Satish Kumar, Constable Narender Kumar and private witness Sandeep have put their respective signatures. The above Manpreet being member of the organized gang and by keeping in his possession one country made pistol 30 bore with 9 live cartridges, one country made pistol 32 bore with 50 live cartridges and one country made pistol 315 bore with 02 live cartridges, in an illegal manner and fake Passport No. B910880 have committed offence under section 111 (2)(b) Bhartiya Nayaya Sahinta, 25(6)-54-59 Arms Act and 12 Passport Act 1967, have been found to be made out. The video related to the recovery was prepared on the spot through mobile. By reducing it to writing, Constable Sandeep is being sent to Police Station Indri. By registering the case, second investigating officer be sent on the place of occurrence, so that further action can be taken. Place: Janesro Gorgarh Marg. Sd/- Pardeep Singh ASI, ASI Randeep Singh 1037, Kaithal, Special Task Force, Karnal Dated 22.07.2024, Time 7.45 pm. ”

3. Learned counsel appearing on behalf of Rahul @ Kamal (petitioner in CRM M-12177 of 2025) submits that the name of the petitioner was not mentioned in the FIR and he had been involved in the present case due to some extraneous consideration. Further, the police had wrongly invoked the Sections 336(2) and 337 of BNS against the petitioner as during the course of investigation, it was

disclosed that his co-accused namely, Subhash had prepared fake documents in the present case. Apart from that, the police also slapped the charge under Section 199 of BNS and Section 13 of the Prevention of Corruption Act against the petitioner without realizing the fact that the petitioner was not a public servant. Apart from that, neither any illegal firearm was recovered from the petitioner nor he had any connection with recovery of any firearm and the ingredients of the offence under Section 25 of the Arms Act were not satisfied. Learned counsel next contends that the petitioner has been involved in the present case only on the strength of the disclosure statement suffered by Manpreet Singh @ Manni, co-accused, which was not admissible in evidence and, thus, the bail was wrongly declined by the trial Court. Learned counsel further contends that the petitioner was arrested in the present case on 26.07.2024 and the *challan* has been presented against him on 21.10.2024. Even, the trial of the present case would take sufficiently long time to conclude as the prosecution has cited 17 witnesses and no witness has been examined so far. He next contends that the petitioner was involved in 10 more criminal cases, however, the petitioner has been granted the concession of bail in 08 other criminal cases. Thus, the petition deserves to be allowed by this Court.

4. Learned counsel appearing on behalf of Subhash @ Pehelwan @ Shubi (petitioner in CRM M-17017-2025) submits that the petitioner has been falsely involved in the present case on the basis of the disclosure statement suffered by Manpreet Singh @ Manni, co-accused and was wrongly arrested on 27.07.2024. He has also raised similar arguments, as raised by his co-accused Rahul @

Kamal. The petitioner was arrested in 17 other cases of similar nature and, out of which, he has been allowed bail in 10 cases. Thus, the petitioner is entitled to concession of bail.

5. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that the petitioners are members of “Sonu Ladwa Gang”, which is a notorious gang operated in the area and is involved in many criminal activities. Even, the petitioners and Manpreet Singh @ Manni were instrumental in preparing fake passports, in collusion with certain public servants and on the basis of such passports, several notorious criminals had escaped from India. Apart from that, those accused are still operating and controlling their criminal activities in India from abroad. Further, these accused are repeatedly involved in various crimes and, if released on bail, they will again indulge in similar activities. Several other accused are yet to be arrested in the present case and the petitions deserve to be dismissed by this Court.

6. I have heard the learned counsel for the parties and perused the record.

7. In the present case, the learned State counsel has referred to a long list of criminal cases, which have been registered against the petitioners. Even, I find sufficient force in the submissions made by learned State counsel on the basis of the fake and bogus passports, number of criminals have managed to escape and now they have become a threat to the law and order as well as security of India. Even, these petitioners have repeatedly indulged in similar offences and such criminals do not deserve any leniency. Even, in the considered opinion of the Court, in case, the petitioners are ordered to

be released on bail, they may again involve in similar activities and the law enforcement agencies will not be able to bring back the criminals, who may escape from the territories of India on the basis of fake passports.

8. Keeping in view the seriousness of the allegations levelled against the petitioners, they are not entitled to concession of bail and the petitions are accordingly ordered to be dismissed.

25.08.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No