



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-13127-2025

Date of decision: 17th March, 2025

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Barjesh K. 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. 09 dated 30.03.2024 registered under Sections 25 and 25(7) of Arms Act, 1959 and Section 120-B of IPC at Police Station SSOC, District Mohali.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on 30.03.2024, on receipt of a secret information to the effect that the petitioner along with the co-accused who constituted a gang, had brought illicit weapons from Madhya Pradesh and were planing to commit some crime. It was also informed that they were going from Haryana towards Punjab, while carrying a huge consignment of illegal weapons in a swift make vehicle and could be apprehended. Believing the secret information to be true, a raiding



party was immediately formed. The swift car was intercepted. The petitioner along with co-accused were apprehended. On conducting search, one pistol of .32 bore having two live cartridges was recovered from the petitioner. Total recovery of 9 pistols of .32 bore along with magazines and 08 live cartridges was effected from them. The petitioner and co-accused were formally arrested. Investigation has since been completed and they are facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 01.04.2024. No evidence has been collected by the prosecution to show that the petitioner was a member of some gang. The ingredients of offence under Section 25(7) of Arms Act are not attracted. Co-accused have been extended benefit of regular bail. On parity, he too deserves to be released on bail. Trial is likely to take time. Therefore, it is urged that the petitioner deserves to be released on bail.

4. Learned State counsel who has advance notice of the petition, has argued that there are serious allegations against the petitioner. He is a habitual offender. There are chances of petitioner's absconding or intimidating the witnesses, 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 parties at considerable length and have gone through the record carefully.

6. The petitioner is in custody since 01.04.2024. Investigation stands completed. Trial is likely to take time. It is only on the basis of thorough evaluation of the evidence to be produced during trial that it can be



determined, as to whether, the petitioner was a member of an organized crime syndicate or not. Co-accused, whose case was on similar footing have since been extended benefit of regular bail. Keeping in view the period of incarceration of the petitioner and 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 petition deserves to be allowed. Hence, the same 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

17th March, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |