

**CRM-M-21945-2024 (O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****224****CRM-M-21945-2024 (O&M)****Date of Decision: 15.05.2025****ARSHDEEP SINGH ALIAS ARSH****....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE H.S.GREWAL.****Present: Mr. Mitul Singh Rana, Advocate for the petitioner.****H.S.GREWAL, J (ORAL)**

1. This petition has been filed for regular bail under Section 439 of Cr.P.C in case FIR No. 02 dated 06.01.2022 under Sections 307 of IPC, Sections 25(6), 25(7) of the Arms Act, Sections 3,4,5 of the Explosive Substances Act (Section 120-B of IPC and Sections 10,11,13,16,17,18,20 of the Unlawful Activities (Prevention) Act, 1967 were added later on) registered at Police Station Mehan, District Moga, Punjab.

2. Learned counsel for the petitioner submits that the petitioner was not named in the FIR but was nominated on the basis of the disclosure statement made by co-accused, namely, Gurpreet Singh @ Gopi, who was the main accused. He further submits that nothing has been recovered from the petitioner. Moreover, there is no evidence against the petitioner of the charges framed. The only allegation against the petitioner is that he has given shelter to the main accused.

3. Notice of motion.

4. Mr. Kamalpreet Bawa, DAG, Punjab accepts notice on behalf of the respondent-State. He has filed the custody certificate in the Court

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today, which is taken on record. As per custody certificate dated 14.05.2025 the petitioner is in custody for the last 03 years 03 months and 24 days. He further submits that out of 16 prosecution witnesses only, 04 witnesses have been examined. He has opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner is involved in two other cases.

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

6. In view of the above submission of learned counsels, since the trial is yet to commence and the same is likely to take time, the fact that the petitioner is in custody for the last 03 years 03 months and 24 days and continuous detention of the petitioner would not serve the ends of justice, I deem it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that if on bail, so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

15.05.2025.*renu***(H.S.GREWAL)
JUDGE****Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No**