



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

CRM-M-20119-2025

Date of decision : 24.04.2025

Ritik

....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rohit Kataria, Advocate
for the petitioner.

Mr. Tanuj Sharma, A.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.195 dated 21.06.2024 under Sections 25(1-AA), 25(1-B)(a) of Arms Act, 1959, registered at Police Station Pataudi, District Gurugram.

2. As per facts of the case, on 21.06.2024, the Police received a secret information to the effect that Abhishek @ Abhi, Harsh Sharma and Suhail (Suhail) had illegal weapons and will supply the same to gangsters. It was informed that they were standing on the road outside the railway station and if raid is conducted, they could be arrested alongwith the weapons. On finding the information reliable, a raiding team was constituted and raid was conducted, where three boys were found. On asking, they disclosed their names as Abhishek @ Abhi, Harsh Sharma and Suhail. Their search was conducted and on conducting the search, two country made pistol and two live cartridges were recovered. They failed to produce any licence for possession of the same and hence, arrested on the spot. On the registration of the FIR, the investigation commenced. During investigation, name of the petitioner was surfaced on the basis of disclosure



statement of Abhishek @ Abhi and he has been arrayed as an accused in the present case. The petitioner was arrested on 05.07.2024. Thereafter, the petitioner approached the Court of learned Additional Sessions Judge, Gurugram praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 03.04.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently submitted that the petitioner has been falsely and frivolously implicated in the present case. He submits that the FIR in the present case has been lodged on the basis of secret information. He submits that the petitioner is not named in the FIR and his name has been surfaced only on account of the disclosure statement of the co-accused, namely, Abhishek @ Abhi. He further submits that co-accused of the petitioner, namely, Suhail, has already been granted bail by this Court vide order dated 20.02.2025 passed in **CRM-M-50711-2024**. He submits that even otherwise, the investigation is complete and charges are framed, however, there is no progress in the trial. He, thus, submits that in the overall facts and circumstances, the petitioner deserves to be granted bail.

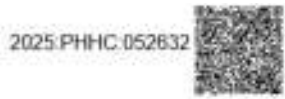
4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that in all there are 06 accused, out of which 02 accused have been granted bail. He has placed on record the custody certificate of the petitioner. On instructions, he has apprised the Court that out of total 16 prosecution witnesses, only 01 witness has been examined so far. He further endorsed the fact that co-accused, namely, Suhail, has already been granted bail by



this Court vide order dated 20.02.2025 passed in **CRM-M-50711-2024**. He has produced the custody certificate of the petitioner on record, which would reveal that he has suffered an incarceration of 09 months and 19 days as on 23.04.2025. It further reflects that petitioner is involved in one more case, however, he is on bail in that case.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered from the facts and circumstances of the case that the FIR in the present case is registered on the basis of the secret information. The petitioner was roped in the present case only on the basis of disclosure statement of co-accused, namely, Abhishek @ Abhi, which in itself is not an admissible evidence. As per custody certificate, the petitioner has suffered incarceration of 09 months 19 days as on 23.04.2025. It further reflects that the petitioner is involved in one more case, however, he is on bail in the said case. Admittedly, co-accused of the petitioner, namely, Suhail, has already been granted bail by this Court vide order dated 20.02.2025 passed in **CRM-M-50711-2024**. The investigation is already complete and charges are framed. Out of 16 prosecution witnesses, only 01 witness has been examined.

6. The veracity of the allegations would be assessed only after the 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 sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.



7. 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.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

24.04.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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