



CRM-M-20288-2025(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-20288-2025(O&M)

Date of Decision: 04.12.2025

AAKIL HUSSAIN ALIAS AKEEL HUSSAIN

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Balraj Gujjar, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of the BNSS for grant of regular bail to the petitioner in FIR No. 15 dated 24.01.2025 under Sections 25(1A)-54-59 of Arms Act registered at Police Station, Ferozepur Jhirka, District Nuh.

2. The allegations against the petitioner are that he, along with the co-accused, was arrested from the spot and was found in conscious possession of six country-made pistols.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the alleged recovery of country-made pistols has been planted upon him. It is further submitted that the petitioner is in custody since 24.01.2025 and is not involved in any other criminal case.

4. Notice of motion.

5. Mr. Ashwani Bhatia, learned Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State and vehemently opposes the bail application on the ground that the petitioner was found in conscious possession of six country-made pistols and the offence under Section 25(1-A) of the Arms Act is punishable with imprisonment up to 14 years. He has filed the custody certificate



of the petitioner in Court today, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 10 months and 04 days. He, however, does not dispute the fact that the petitioner is not involved in any other case. Learned State counsel further submits that the challan has been presented and charges are yet to be framed.

6. I have heard the submissions made by the parties and gone through the record.

7. Keeping in view the facts and circumstances of the case and the fact that charges are yet to be framed; the trial would take considerable time to conclude, this Court is of the opinion that no useful purpose would be served for further incarceration of the petitioner. The petitioner is in custody for the last 10 months and 04 days and is not involved in any other case. Therefore, his continued detention would not serve any purpose. Moreover, bail is rule and jail is exception. Hence, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. 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.

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

10. Pending applications, if any, shall also be disposed of.

04.12.2025
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(H.S.GREWAL)
JUDGE

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