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

**CRM-M-21298-2025
Date of Decision:29.04.2025**

SWAYAM ALIAS BHOLLU

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Naveen Kumar Mahajan, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.18 dated 29.01.2025, registered under Sections 25 Arms Act, 1959, Police Station Gate Hakima, District Amritsar.

2. Learned counsel for the petitioner contends that it has been falsely alleged against the petitioner that the petitioner is in illegal trade of country-made weapons. In fact the petitioner was never involved in any other criminal activity in his whole life. As per the case set up by the prosecution, one pistol and two live cartridges were initially recovered and he got recovered two other weapons subsequently. The petitioner was arrested in the present case on 29.01.2025 and is in custody for the last about 03 months. He further submits



that challan has already been presented against the petitioner and the conclusion of the trial may take quite a long time.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that there is no other case against him.

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

5. The petitioner is in custody in the present case for the last about 03 months and the offences are triable by the Court of Magistrate. The petitioner is a first offender and deserves sympathetic consideration by this Court.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.



(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

29.04.2025

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**(N.S. SHEKHAWAT)
JUDGE**

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