



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

CRM-M-24222-2025

Date of Decision:05.08.2025

Rahul @ Kaka

...Petitioner

Vs.

State of Punjab

...Respondent

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

Present : Mr. Ruhani Chadha, Advocate
 for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.72 dated 24.12.2024 registered under Sections 61(2) of BNS and under Section 25 of Arms Act, and Sections 21, 25, 29 of NDPS Act (added later on), at Police Station State Special Operations Cell, Intelligence Wing District Amritsar.

2. Learned counsel for the petitioner contends that as per the case set up by the prosecution, the police had received a secret information that Gurjit Singh, Rajwinder Singh @ Raja and Manjit Singh alias Dhuri were regularly in touch with Pakistani smugglers and were indulging in cross-border smuggling of heroin and weapons. On getting the information, Manjit Singh @ Dhuri was arrested on 24.12.2024 and 9 mm pistol along with a magazine were recovered from him. Later on, four live cartridges were also recovered from

him. Gurjit Singh, another co-accused was arrested in the present case and another pistol of .30 bore was also recovered from him along with 10 live cartridges. Learned counsel for the petitioner further submits that the petitioner was neither named in the secret information nor any allegation was levelled against him in the FIR. The petitioner was arrested in the present case on the basis of disclosure statement suffered by Rajan @ Raja @ Goli in police custody and except that there is no other evidence against him. He further contends that Rajan @ Raja @ Goli has been granted the concession of bail by this Court on 03.07.2025.

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.

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

5. From a perusal of the record, it is apparent that the petitioner was named by Rajan @ Raja @ Goli in his disclosure statement and the petitioner was arrested in the present case on 10.02.2025. Moreover, co-accused Rajan @ Raja @ Goli has been granted the concession of bail by this Court on 03.07.2025. Thus, further custody of the petitioner will not serve any meaningful purpose.

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.*

(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.

(N.S.SHEKHAWAT)
JUDGE

05.08.2025
hitesh

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