



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-32689-2025
Decided on : 28.08.2025

Digpal @ Deepu . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Shokeen Singh Verma, Advocate
for the petitioner(s).

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Digpal @ Deepu	172	16.06.2023	25 of the Arms Act, 1959	Loharu	Bhiwani

2. Learned counsel for the petitioner contends that no recovery has been effected from the petitioner, and his name has surfaced only on the basis of the disclosure statement of co-accused Sadhu Singh, to whom, petitioner is alleged to have supplied a country-made pistol for a sum of ₹20,000/-. Considering the nature of allegations, vide order dated 16.09.2023 (Annexure P-2), learned Additional Sessions Judge, Bhiwani, granted regular bail to the petitioner. However, as the petitioner absented himself from the proceedings, he was declared a ‘proclaimed person’ on



19.04.2025 (Annexure P-3).

3. Learned counsel further submits that immediately thereafter, the petitioner was arrested on 20.04.2025 and, since then, he is in custody. It is contended that in fact, due to some miscommunication, petitioner could not appear before the learned trial Court on the date fixed, and has already suffered incarceration for about four months owing to his own lapse. Presently, he continues to remain in custody since the date of his re-arrest after being declared a 'proclaimed person'. In these circumstances, learned counsel prays for grant of the concession of regular bail to the petitioner.

4. On the other hand, learned State counsel, while appearing on advance notice, has filed in Court today the custody certificate dated 26.08.2025, which is taken on record, subject to all just exceptions. Office to tag the same at the appropriate place. A copy thereof has also been handed over to learned counsel for the petitioner.

Learned State counsel submits that, keeping in view the past conduct of the petitioner, he does not deserve the concession of bail, as there is every likelihood that he may again misuse the same and remain absent from the trial proceedings.

5. Heard.

6. Taking into account the overall facts and circumstances, as noticed here-above, it is observed that the allegation against the petitioner is of having supplied a firearm to co-accused Sadhu Singh, with no recovery effected from his personal possession. Considering also the period of his incarceration, this Court deems it appropriate to extend the concession of regular bail to the petitioner.

7. Consequently, without making any comments over the merits of



the case, the prayer for bail of the petitioners is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 28, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No