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

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CRM-M-36038-2025 (O&M)
Date of decision: 27.08.2025

Vikas @ Vicky Pahalwan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Ritesh K. Sharma, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing FIR No. 30 dated 07.03.2024, registered under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) and Section 25 of the Arms Act, 1959 [Offences under Section 21(c), 22 and 29 of the NDPS Act, Sections 25(1B)a, 25(7), 25(8), 29 and 30 of the Arms Act and Sections 353, 186 and 307 of the IPC were added later on] at Police Station Shahkot, District Jalandhar.

2. Brief facts of the case relevant for the disposal of the present petition are that on 07.03.2024, a secret information was received by ASI Parvinder Singh to the effect that petitioner Vikas @ Vicky Pahalwan @ Bhalwan, Akashdeep Singh @ Arsh, Pardeep and Gurpreet @ Gopi were

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indulged in the business of sale of heroin and illegal weapons in the area of Shahkot and were also involved in offences of snatching. Believing the information to be reliable, a police party headed by Inspector Yadwinder Singh reached at the informed place. Two persons were seen coming, who on seeing the police party ran into the street. Thereafter, both of them ran in different directions and the police officials started chasing them. The person, who was being chased by Inspector Yadwinder Singh, fired a shot with his country made pistol upon the police officials but it did not hit anyone. In retaliation, Inspector Yadwinder Singh also fired a shot, which hit on the right leg of that person and he fell down. On inquiry, he disclosed his name as 'Vikas @ Vicky Bhawan' i.e. the present petitioner. A country made pistol and 04 live cartridges were recovered from him. The second person was also apprehended by the police party headed by ASI Mandeep Singh. On inquiry, he disclosed his name as 'Arshdeep Singh @ Arsh'. On his search, 260 grams of heroin and drug money of Rs.21,000/- was recovered from him. During investigation, some other persons were also nominated in the case. After completion of necessary investigation and usual formalities, *challan* was presented before the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He is in custody since 07.03.2024. No contraband was recovered from him. Although, the petitioner is stated to have fired upon a police officials but it is an admitted position that no one had sustained any injury. The petitioner has clean antecedents and is not involved in

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any other case. Even otherwise, investigation has since been completed and *challan* has been presented. The trial is likely to take time to conclude. No useful purpose would be served by keeping the petitioner in custody anymore. Co-accused Gurpreet Singh @ Gopi and Pardeep Kumar have already been granted concession of regular bail by this Court, vide orders dated 14.05.2025 and 22.05.2025 passed in ***CRM-M-9751-2025*** and ***CRM-M-16781-2025***, respectively. On the grounds of parity, the petitioner too deserves the same benefit. It is, therefore, urged that the petition deserves to be allowed and the petitioner deserves to be released on bail.

4. Status report along with custody certificate of the petitioner has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. As per the allegations, the petitioner along with the co-accused was involved in illegal activities of sale/purchase of heroin and illegal weapons. The petitioner was apprehended on 07.03.2024. During the process of his arrest by the police, the petitioner is stated to have fired upon the police officials but it is an admitted position that no injury was sustained by any of the police officials. It is also admitted position that no contraband whatsoever was recovered from the petitioner. He has clean antecedents and is not involved in any other case. A perusal of the status report reveals that investigation has since been completed

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and *challan* has been presented. There are total 20 prosecution witnesses and none has been examined so far as. It goes to show that conclusion of trial is likely to take time. Co-accused Pardeep Kumar and Gurpreet Singh @ Gopi have already been granted concession of regular bail by this Court, as mentioned above. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

27.08.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No