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

CRM-M-37820-2025

Date of Decision:23.07.2025

VARINDER SINGH @ VICKY

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.0018 dated 29.01.2025, registered under Sections 25, 29 of Arms Act, 1959 and Section 61(2) of BNS 2023 (120A of IPC) added later on, Police Station Gate Hakima, District Amritsar.

2. Learned counsel for the petitioner contends that initially 03 accused namely Piyush, Kamal and Swayam @ Bhollu were arrested for keeping illegal weapons. The petitioner was not named in the FIR and was nominated as an accused on the basis of the disclosure statement suffered by Swayam @ Bhollu and after his arrest on 15.02.2025, two unauthorized weapons were recovered from the petitioner and he had allegedly fired on the



police party to avoid his arrest. Learned counsel further submits that Swayam @ Bhollu, who was arrested at the spot has been granted the concession of bail by this Court vide order dated 29.04.2025 (Annexure P-2). The petitioner was arrested in the present case on 15.02.2025 and is in custody for the last more than 05 months. He further contends that the prosecution has relied upon 12 witnesses but no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that two more cases have been registered against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, the petitioner is stated to be in custody for the last 05 months and the recovery has been effected from him. Moreover, the challan has already been presented against him but no witness has been examined so far. Even Swayam @ Bhollu, co-accused has been granted the concession of bail by this Court vide order dated 29.04.2025 (Annexure P-2). Thus, the further custody of the petitioner will not serve any useful 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.

23.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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