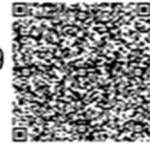


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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH**

252

CRM-M-38422-2025 (O&amp;M)

Date of decision: 08.09.2025

**Gagandeep****...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. A. P. S. Rehan, Advocate  
for the petitioner. (Through VC)

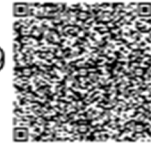
Mr. Roshandeep Singh, AAG, Punjab.

**MANISHA BATRA, J. (Oral)**

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 24 dated 03.04.2025, registered under Section 25 of the Arms Act, 1959 (Section 27 of the Arms Act and Sections 55, 61(2), 3(5) and 111 of Bharatiya Nyaya Sanhita, 2023) (For short 'BNS', added later on) at Police Station Ghanie Ke Bangar, District Gurdaspur.

2. As per the allegations, on 03.04.2025, accused Abhi Masih and Indras Masih were apprehended by a police party and one empty magazine and five live cartridges were recovered from them. After registration of the FIR, investigation proceedings were initiated. One pistol and six live cartridges were recovered subsequently at the instance of accused Abhi Masih. On interrogation, both the accused suffered disclosure statements, on the basis of which, the present petitioner and co-accused were nominated as

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such. The petitioner was arrested on 04.04.2025. One pistol and one magazine was recovered from him. Investigation qua him now stands completed.

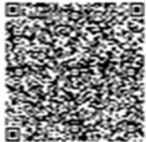
3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The ingredients for commission of offence under Section 111 of BNS are not attracted against him. He has clean antecedents. His further incarceration would not serve any fruitful purpose.

4. Status report along with the custody certificate of the petitioner has been filed by the respondent-State. Learned State counsel 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 and have also gone through the material placed on record very carefully.

6. The petitioner along with co-accused is alleged to be a member of a gang operating from abroad and indulged in distributing fire arms/ammunition in illicit manner. He does not have any criminal antecedents. It is a matter of evidence as to whether the ingredients for commission of offence punishable under Section 111 of BNS are attracted in this case or not? The trial would take considerable time to conclude. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed and the petitioner is ordered to be

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released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

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.

08.09.2025  
*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |