



CRM-M-41017-2025 and CRM-M-64225-2025

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**226+239 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1) **CRM-M-41017-2025**
Date of decision: 09.12.2025

GURPREET SINGH **...PETITIONER**

VERSUS

STATE OF PUNJAB **...RESPONDENT**

2) **CRM-M-64225-2025**

FATEH SINGH ALIAS
FATEHJEET SINGH **...PETITIONER**

VERSUS

STATE OF PUNJAB **...RESPONDENT**

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner in CRM-M-41017-2025.

Mr. Karandeep Singh Sidhu, Advocate
for the petitioner in CRM-M-64225-2025.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. In the above mentioned petitions common question of law and facts are involved, so both the petitions are being disposed of by a common judgment. For brevity, facts are being taken from CRM-M-41017-2025 titled as "*Gurpreet Singh Versus State of Punjab.*"

2. Petitioner(s) have approached by way of filing the present petition praying for grant of regular bail in case bearing FIR No.16 dated 27.03.2025 under Sections 25, 25(1) (A), 25(7), 25(8) of Arms Act, 1959, Section 61(2) of BNS, 2023 and Section 341(2) of BNS, 2023 added later on, registered at Police Station SSOC Amritsar, District Amritsar.



3. Succinctly the facts of the case are that on 27.03.2025, the police party received a secret information to the effect that Fateh Singh @ Fatehjeet Singh and Gurpreet Singh were having link with Pakistani smuggler, namely, Amar resident of Gharak, Pakistan. It was informed that he would bring consignments and ammunition on instructions of the Pakistani smuggler, namely, Amar and police party led the barricade and they could be arrested along with the ammunition. On receiving the secret information, the barricading was laid and two persons as disclosed were seen coming on the motorcycle, who were stopped. On asking, the driver of the motorcycle disclosed his name to be Gurpreet Singh and the person sitting pillion who was holding a kit bag, he disclosed his name to be Fateh Singh. They were suspected to be carrying some ammunition and the same was searched. On conducting the search, 5 pistols .30 bore along with magazine were recovered. They failed to produce any license regarding the possession of the same. FIR was got registered and investigation commenced. Both the petitioner(s) were arrested on the spot. On completion of the investigation, the challan was presented and charges were framed and trial commenced. They approached the learned Additional Sessions Judge, Amritsar for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Amritsar declined the bail applications vide orders dated 19.06.2025 and 21.08.2025 respectively. Aggrieved, the petitioner(s) are before this Court praying for the grant of bail by way of filing the present petitions

4. Learned counsel for the petitioner(s) have vehemently contended that the petitioner(s) have been falsely implicated in the present case. He fairly

admitted that the case of the prosecution is based on a secret information that



the alleged recovery has been effected from a public place and no independent witness have been joined to authenticate the recovery effected. They further submit that the petitioner(s) have no criminal antecedents as they have never been involved in any other case of similar nature. They further submit petitioner(s) are behind bard since the date of their arrest i.e. 27.03.2025. They further submit that in the facts and circumstances, the petitioner(s) deserve to be granted regular bail.

5. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He has not disputed the facts that the petitioner(s) were specifically named in the secret information. On receiving the secret information, the barricade was laid and both the petitioner(s) were arrested on the spot along with ammunition i.e. the pistols and magazines. They were carrying with them. On instructions, he further submits that investigation is complete and challan has been presented. He has produced custody certificate of the petitioner(s) today in the Court and the same is taken on record.

5. Heard.

6. On hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner(s) were arrested on the basis of secret information. Custody certificate produced would show that the petitioner(s) have completed incarceration of 08 months and 07 days as on 08.12.2025. Gurpreet Singh-petitioner is involved in one more case whereas Fateh Singh-petitioner is not involved in any other case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently

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long time.

8. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner(s) succeeds in making out a case for grant of regular bail. Accordingly, both petitions are allowed. Petitioner(s) are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

9. In case the bail bonds are not furnished by the petitioner, namely, Gurpreet Singh in CRM-M-41017-2025 during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

09.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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