



CRM-M-40941-2025

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

CRM-M-40941-2025

Date of Decision: 28.11.2025

Mohammed Irfan @ Mohammed Usman

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amit Arora, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.63 dated 25.04.2025 under Sections 25(6), 25(7)(i), 25(8) of Arms Act, 1959, registered at Police Station Civil Lines, District Police Commissionerate Amritsar.

2. Succinctly, facts of the case are that on 25.04.2025, the Police party while on patrolling received a secret information to the effect that Abrar Ahmed and Mohd. Ushman (petitioner) are indulged in smuggling of modernized weapons across the border and used to sell the same. It was informed that they are present near LUMBSDEN CLUB in search of their customers and in case of raid, they could be arrested alongwith arms and ammunition. On receiving he information, a raiding team was constituted and reached at the place disclosed. Two persons were found there, who on asking disclosed their names as Abrar Ahmed and Mohd. Ushman (petitioner). On suspicion, their search was conducted and one 32 bore pistol and Rs.10,50,000/- were recovered from them. They failed to produced any licence regarding the possession of the same and thus, on registration of the



FIR, they were arrested on spot. The investigation commenced. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 09.07.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Ashrar Ahmed @ Abrar Ahmed. He has drawn the attention of this Court to the order dated 28.10.2025 passed in **CRM-M-58395-2025**, whereby, co-accused Ashrar Ahmed @ Abrar Ahmed has been granted regular bail by this Court. He submits that the petitioner is behind bars since 25.04.2025. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Ashrar Ahmed @ Abrar Ahmed. On instructions, he has submitted that investigation is complete. He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 25.04.2025 Co-accused, namely, Ashrar Ahmed @ Abrar Ahmed is on bail and the case of the petitioner as stated is at par with him. Custody certificate of the



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petitioner shows that the petitioner has suffered incarceration of 06 months & 28 days as on 28.11.2025. It further reflects that the petitioner has no criminal antecedents.

6. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

28.11.2025
sharmila

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No