



CRM-M-46277-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.212

Case No. : CRM-M-46277-2025

Decided On : November 04, 2025

Gagandeep @ Gaggu @ Lucky Petitioner
vs.
State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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

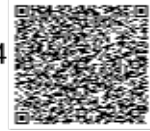
Mr. P. S. Pandher, AAG, Punjab.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.52 dated 15.03.2025, under Sections 125, 3(5), 351(2), 61(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 25, 27 of Arms Act, 1959, registered at Police Station Model Town, District Hoshiarpur.

As per prosecution case, complainant Rohit Adia @ Rishu made complaint against one Lovish, stating therein that on 15.03.2025, he heard sound of three fires and on coming out, found two shell cartridges of fired bullets near his gate along with one threatening letter, written by said Lovish, who had earlier also extended life threats to the complainant. The complainant further stated that he and his family members were



apprehending threat to their lives and property from above said Lovish and his associates. Accordingly, accused Lovish was arrested and during investigation, he suffered disclosure statement, wherein he stated that one country made pistol was supplied to him by the present petitioner. The petitioner was nominated as an accused in the present case on the basis of aforesaid disclosure statement of the said co-accused.

Learned counsel for the petitioner contended that no recovery had been effected from the petitioner and he is not connected with the offence in the present case. The petitioner has been falsely implicated in the present case only on the basis of disclosure statement of aforesaid co-accused, which is not admissible in law. He prayed that custodial interrogation of the petitioner is not required and he is ready and willing to join the investigation and the present petition be allowed.

Learned State counsel opposed the present petition and submitted that there is specific allegation against the petitioner that he had supplied one country made pistol to the co-accused namely Lovish. The petitioner was specifically named in the disclosure statement of co-accused and as such he is not entitled to the concession of bail.

I have heard the learned counsel for the parties and have also gone through the case file.

As per the allegations in the disclosure statement, co-accused alleged to have received one country-made pistol from the petitioner, which was used in the occurrence. No other material, except the disclosure statement of co-accused Lovish, has been placed on record to connect the

petitioner with the alleged offence in question. No specific role has been attributed to the petitioner. Custodial interrogation of the petitioner is not required for any purpose and nothing is to be recovered from him. So, no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

November 04, 2025

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(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.