



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

242

CRM-M-48132-2025

Date of decision: 4th September, 2025

Deepak @ Gattu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Lokesh Sharma, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 188 dated 16.07.2025 registered under Sections 111(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25(1)(A), 25(6) and 25(1)(D) of Arms Act, 1959 at Police Station Badli, District Jhajjar, Haryana.

2. The aforementioned FIR was registered on the allegations that on 16.07.2025, on receipt of a secret information to the effect that the present petitioner was in possession of illicit weapons and at that point of time, he was present at the road leading from village Badli to Bupania, with an i20 car and could be apprehended with such weapons, if raided immediately. Believing the secret information to be true, a raiding party was immediately formed by HC Ravinder Kumar. They reached at the informed



place and found the petitioner while sitting in the driver seat of an i20 car. On asking, he disclosed his name and particulars. On conducting his search, one country made pistol and seven live cartridges were recovered from him. He failed to produce any licence or permit for having the same. The recovered articles were taken into possession. Formal FIR was registered. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody since 16.07.2025. No case for commission of offences punishable under Section 111(4) of BNS and Sections 25(6) and 25(1)(D) of Arms Act has been made out against him. A false recovery has been planted upon him. The subject offences are triable by Magistrate. The trial will take considerable time to conclude. His involvement in another case cannot be considered to be a reason for denying benefit of bail to him. With these broad submissions, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and is ready to argue the matter. It is submitted by him that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

7. The petitioner is alleged to have been found in possession of one pistol along with live cartridges. This pistol was a semi automatic



weapon use of which is prohibited in India and he could not produce any license for the same. He has been in custody since 16.07.2025. Investigation now stands completed. It is a question of evidence, as to whether, the provisions of Section 111(4) of BNS and Section 25(6) of Arms Act are made out or not? The trial will take time to conclude. It is well settled proposition of law that bail is the rule and jail is an exception. This Court is of the considered opinion that further incarceration of the petitioner will not serve any useful purpose and as such a case is made out for release of the petitioner on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th September, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No