



258

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

**CRM-M No.50417 of 2025
Date of Decision: 27.11.2025**

Mandeep Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Barjinder Singh, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.99, dated 25.06.2025, under Sections 25, 54, 59 of Arms Act, registered at Police Station Raja Sansi, District Amritsar Rural.

2. Succinctly the facts of the case are that the police party was on patrolling on 25.06.2025 and when they were returning from Gandhi Nagar of Raja Sansi, they saw a motorcycle bearing registration No.PB-02-ER-7030 was coming, on which 02 persons were riding. They were signalled to stop, however they tried to escape and thereafter, both were apprehended. On asking, driver of the motorcycle disclosed his name to be Harpreet Singh @ Happy and the person, riding pillion, disclosed his name to be Kamalpreet Singh. They were suspected to be carrying some contraband



and thus, their personal search was conducted. On conducting the search of Harpreet Singh @ Happy, a country made pistol along with .315 bore bullet were recovered, whereas from the search of Kamalpreet Singh, a small country made pistol was recovered. They failed to produce any licence regarding the conscious possession of the same, thus, the FIR was registered and both were arrested on the spot. On registration of the FIR, the investigation commenced. During the investigation, Harpreet Singh @ Happy made a disclosure statement about the complicity of the petitioner being the alleged supplier of the weapon recovered from him and thus, the petitioner was also arrayed as an accused in the present case. Resultantly, the petitioner was arrested on the very next day, i.e. 26.06.2025. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for the 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 application filed by the petitioner vide order dated 18.08.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present FIR. He has submitted that the petitioner has been arrayed as an accused in the present case on the basis of disclosure statement of co-accused, namely, Harpreet Singh @ happy, from whom the illegal weapon was recovered. He has submitted that the disclosure statement in itself is not an admissible



evidence. He has submitted that the petitioner is behind bars since the date of his arrest. He has further submitted that co-accused, namely, Kamalpreet Singh, who was apprehended on the spot and from whom, the recovery of weapon was also effected, has already been granted bail by this Court vide order dated 29.09.2025, passed in CRM-M-46510-2025. He has submitted that though the petitioner has been prosecuted in 03 other cases, however he is on bail in those cases. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner was found to be the supplier of illegal weapons being recovered from the co-accused. He has submitted that the petitioner is a habitual offender, who is facing prosecution in 03 other cases. He, on instructions, has submitted that out of total 10 prosecution witnesses, only 01 witness has been examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. The Court has heard learned counsel for the parties and perused the record with their able assistance.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner in the present case was arrayed as an accused on the basis of disclosure statement of co-accused. The recovery of illegal weapons has also been effected from the co-accused. One of the co-accused, namely, Kamalpreet Singh has already been



granted bail by this Court vide order dated 29.09.2025 passed in CRM-M-46510-2025. Custody certificate produced would show that the petitioner has suffered incarceration of 04 months and 29 days as on 26.11.2025. As submitted before this Court by learned counsel for the petitioner that though the petitioner was prosecuted in other cases, however he in on bail in those cases. Only 01 witness has been examined, out of total 10 prosecution witnesses.

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.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail.

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

(RAJESH BHARDWAJ)
JUDGE

27.11.2025

<i>rittu</i>	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No