



CRM-M-52825-2025 (O&M)

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

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**CRM-M-52825-2025 (O&M)
Decided on : 23.09.2025**

Karan @Kartik @Kanha Srivastava

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Kamal Chaudhary, Advocate for the petitioner.

SURYA PARTAP SINGH, J.

1. This is first petition for bail filed by the petitioner, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The present petition has been filed with regard to a case arising out of FIR No.153 dated 11.07.2025 under Sections 25(8) and 54 of the Arms Act, 1959, Police Station Sadar Palwal, District Palwal. The application for bail filed by the petitioner before the Court of learned Additional Sessions Judge, Palwal has been dismissed vide order dated 30.08.2025. The petitioner is in custody since 11.07.2025, and therefore, craving for bail.

2. Succinctly, the facts emerging from the record are that the abovementioned FIR came into being in the backdrop of a tip-off received by Sub-Inspector Israil, who was on duty along with other police officials in police vehicle at Agra Highway. According to prosecution, as per

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information given to the above-named Sub-Inspector, 03 persons, who were involved in the activities of illegal sale of arms and ammunition, and that they were taking tea at Manesar KMP turn Palwal. As per prosecution story, in view of abovementioned information, when the police party visited the spot, they found 03 persons on a motorcycle, amongst them, one person was carrying backpack and on search of abovementioned backpack, 03 countrymade pistols were recovered. According to prosecution case, the abovementioned backpack was recovered from the possession of Santosh, whereas the petitioner was travelling in the middle and driver of the motorcycle was Arun.

3. Notice of motion.

4. Mr. Rakesh Kumar Jangra, AAG Haryana appears on behalf of respondent-State, and waives service. Learned State Counsel has filed custody certificate of the petitioner. The same be taken on record. However, learned State Counsel has not opted to file formal reply to the petition. He has chosen to oppose this petition orally.

5. Heard.

6. It has been contended by learned counsel for the petitioner that the petitioner has suffered sufficient incarceration for being in custody for a period of 02 months and 12 days. According to learned counsel for the petitioner, the offence is triable by Magistrate and nothing is left to be recovered from the possession of petitioner.

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7. *Per contra*, learned State Counsel has argued that the petitioner is deeply involved in the activities of illegal sale of arms and ammunition without licence and earlier also, he had been prosecuted for similar offence.

8. The record has been perused carefully.

9. In view of the peculiar facts and circumstances of the present case, following are the factors which are required to be taken into consideration for the decision of present bail petition:-

- a) that the petitioner is already in custody for a period of 02 months and 12 days;
- b) that the offence is triable by the Court of Judicial Magistrate;
- c) that nothing is left to be recovered from the possession of petitioner;
- d) that the investigation and trial are not likely to be concluded in near future;
- e) that detention of the petitioner in judicial lockup is not likely to serve any purpose; and
- f) that there is nothing on record to show that if released on bail, the petitioner may influence the witnesses.

10. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to the conclusion that the petitioner is entitled for the benefit of bail.

11. Accordingly, without commenting anything on the merits of the case, the present petition is hereby allowed. The petitioner is hereby



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admitted to bail subject to his furnishing bail bonds to the satisfaction of
learned Area Magistrate/Duty Magistrate.

(SURYA PARTAP SINGH)
JUDGE

SEPTEMBER 23, 2025

Gaurav Thakur

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No