



S. No.216

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54215 of 2025

Date of Decision:12.11.2025

Jasbir @ Tonu

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Ashish Grewal, Advocate for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

Yashvir Singh Rathor, J. (Oral)

1. This is first petition filed under Section 483 of BNSS seeking concession of regular bail to the petitioner in case FIR No.170 dated 04.07.2025 registered under Sections 61(2) and 111(2)(b) of BNS and Section 25(6) of the Arms Act, at Police Station Chappar, District Yamuna Nagar.

2. Brief facts of the prosecution case are that on 03.07.2025 at about 04:30 PM, a secret information was received by the police that few persons are sitting in the car bearing registration No.UK-07AR-8715 near a tubewell at Village Harnaul, District Yamunanagar for committing some crime. On the basis of said information, a raid was conducted and four persons namely Jasbir (petitioner), Lakshay, Shivam and Shah Mohammad were apprehended. One country made pistol and four live cartridges were recovered from Jasbir. The offences under Sections 61(2) and 111(2)(b) of BNS, 2023 and Section 25(6) of



Arms Act, 1959 were found to have been committed and formal FIR was registered.

3. Status report by way of an affidavit of Rajat Gulia, HPS, Deputy Superintendent of Police, Yamuna Nagar-II, has been filed on behalf of the respondent- State. The same is taken on record.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. Provisions of Section 111(2)(b) of BNS have been wrongly incorporated in the FIR and no such offence is made out as there is no such allegation that he belongs to gang of criminals and was indulging in organized crime or that he had come to commit any crime. Only one pistol and four live cartridges have been recovered from his possession. Petitioner is in custody since 04.07.2025. Investigation and trial will take sufficiently long time to conclude. The co-accused namely Shah Mohammad, Shivam, Sagar and Mohit have already been released on bail by this Court as well as by co-ordinate Benches of this Court and petitioner too, is thus entitled to be released on bail.

6. On the other hand, learned State Counsel has sought dismissal of the bail application in view of the gravity of offence.

7. Only one pistol and four live cartridges have been recovered from the possession of the petitioner. As to whether the offence under Section 111(2)(b) of BNS, 2023 will be made out or not shall be moot question during the trial and this question can be decided only after prosecution leads its evidence. Petitioner is



stated to be involved about 20 cases out of which he has already been acquitted in 15 cases. Petitioner is in custody since 04.07.2025. Investigation and trial will take sufficiently long time to conclude and no useful purpose will be thus be served by keeping him in custody anymore.

8. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(Yashvir Singh Rathor)
Judge

November 12, 2025
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No