



CRM-M-56438-2025

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

CRM-M-56438-2025 (O&M)

Date of Decision: 12.11.2025

Prem Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rishu Mahajan, Advocate, for the petitioner.

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

Rajesh Bhardwaj, J. (ORAL)**CRM-43571-2025**

Allowed as prayed for. Document Annexure A-1, is taken on record.

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1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.63 dated 25.04.2025 under Sections 25(6), 25(7)(i), 25(8) of Arms Act, 1954, registered at Police Station Civil Lines, District Amritsar.

2. Succinctly, facts of the case are that on 25.04.2025, the Police party while on patrolling received a secret information to the effect that Abrar Ahmed and Mohd. Ushman are indulged in smuggling of modernized weapons across the border and used to sell the same. It was informed that they are present near LUMBSDEN CLUB in search of their customers and in case of raid, they could be arrested alongwith arms and ammunition. On receiving the information, a raiding team was constituted and reached at the place disclosed. Two persons were found there, who on asking disclosed



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their names as Abrar Ahmed and Mohd. Ushman. On suspicion, their search was conducted and one 32 bore pistol and Rs.10,50,000/- were recovered from them. They failed to produced any licence regarding the possession of the same and thus, on registration of the FIR, they were arrested on spot. The investigation commenced. During investigation, complicity of the petitioner was surfaced on the basis of disclosure statement of co-accused and thus, he was also arrayed as an accused in the present FIR. Resultantly, the petitioner was arrested on 28.04.2025. He approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned trial Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 09.07.2025. Aggrieved by the same, the petitioner approached this Court earlier by way of filing of CRM-M-43411-2025, however, the same was dismissed as withdrawn vide order dated 18.08.2025. Hence, the petitioner is before this Court praying for grant of bail by way of filing the present second petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of the co-accused. He has drawn the attention of this Court to the order dated 28.10.2025 passed by this Court in **CRM-M-58395-2025**, whereby co-accused of the petitioner, namely, Ashrar Ahmed @ Abrar Ahmed, has been granted the concession of bail. He has submitted that case of the petitioner is on better footing than that of the co-accused, who has been granted bail by this Court, however, the petitioner has been implicated in the present case on the basis of disclosure statement of the co-accused. He submits that on the basis of the parity, petitioner



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deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who has already been granted bail.

4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. However, he endorsed the fact that case of the petitioner is at parity with that of co-accused, namely, Ashrar Ahmed @ Abrar Ahmed, who has been granted bail by this Court. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that complicity of the petitioner was surfaced in the present case on the basis of disclosure statement of the co-accused and he was arrested on 28.04.2025. The custody certificate would reflect that he has suffered incarceration of 06 months & 13 days as on 11.11.2025. It further shows that the petitioner has no criminal antecedent. Admittedly, co-accused of the petitioner, namely, Ashrar Ahmed @ Abrar Ahmed, has already been granted bail by this Court vide order dated 28.10.2025, passed in **CRM-M-58395-2025**.

6. 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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time to conclude. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner as his case is on better footing than that of the



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co-accused, who has already been granted bail by this Court.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing his bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

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

9. Since the main petition has already been listed today, application bearing CRM No.43570 of 2025, is dismissed as having been rendered infructuous.

12.11.2025*ps-I***(RAJESH BHARDWAJ)
JUDGE**

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No