



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

219

CRM-M-57873-2024

Date of decision: August 27<sup>th</sup>, 2025

Sumit @ Billa @ Professional Janni

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Raghav Chadha, Advocate  
for the petitioner.

Mr. Gurpreet Singh, Senior Deputy Advocate General,  
Punjab.

**MANJARI NEHRU KAUL, J. (ORAL)**

Petitioner is seeking the concession of regular bail in FIR No.126 dated 29.08.2024 under Sections 109, 62, 49, 351(2), 351(3), 61(2) and 111 of the BNS and Sections 25, 27, 54, 59 of the Arms Act, registered at Police Station City Gurdaspur.

2. Learned counsel for the petitioner submits that a perusal of the FIR (Annexure P-1) reveals that neither was the petitioner named therein nor any suspicion raised qua his involvement in the occurrence in question, where the co-accused arrived at the spot armed with firearm and thereafter fired towards the house of the complainant. It has been argued by the counsel that the petitioner came to be nominated as an accused after a month of the registration of the FIR on the basis of the disclosure statements of co-accused Sahil and Lovedeep Singh; the co-accused on whose disclosure statement, the petitioner came to be nominated as an accused merely claimed that the petitioner had carried out a recce of the place of occurrence and provided the weapon of

offence. Learned counsel has submitted that the petitioner has clean antecedents, which further lends credence to his false implication in the present case. It has also been submitted that after the challan was presented, charges were framed on 22.11.2024, however, till date none of the 19 witnesses have been examined by the prosecution. Hence, the possibility of the trial concluding in the near future does not arise.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has neither disputed the custody period of the petitioner nor has he disputed the stage of trial. On further instructions, it has not been disputed that the petitioner was not present at the time of the alleged occurrence nor was any suspicion raised qua his involvement in the crime. It has also been conceded, on instructions, that the only role attributed to the petitioner is of having carried out a recce of the place of occurrence. In addition, learned counsel has placed on record the custody certificate of the petitioner, which is taken on record subject to just exceptions. The custody certificate also reflects that the petitioner has no previous criminal antecedents.

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

5. In the facts and circumstances as enumerated hereinabove, particularly the alleged role attributed to the petitioner, this Court deems it fit to admit him on bail. Accordingly, the instant petition is allowed and the petitioner be admitted to bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to say, in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of the same.

August 27<sup>th</sup>, 2025  
*Puneet*

(MANJARI NEHRU KAUL)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No