



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

CRM-M-58925-2025
Date of decision: 11.12.2025

LOVEPREET SINGH ALIAS LOVE

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Ritesh Pandey, Advocate
 for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in the present petition under Section 439 of Cr.P.C. is for grant of regular bail to the petitioner in case having FIR No.80 dated 13.07.2025 registered under Section 25 of Arms Act and Section 61(2) of BNS and Section 111 of BNS added later on at Police Station Rangar Nangal, Batala, District Gurdaspur.

2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

3. Brief facts of the prosecution case are that on 13.07.2025, ASI Palwinder Singh, Police Station Rangar Nagal alongwith other police officials was going to village Khojawal in connection with patrolling duty and when they reached T point village Sagatpura, he received secret



information that Sikandar Singh @ Gola and Lovepreet Singh @ Love (petitioner), Onkar Singh and Gagandeep Singh @ Giani alongwith two unknown persons are standing near Cheema hockey academy armed with illegal weapons, who are associated with Jaggu Bhanwanpuria gang and are planning to execute some crime. In case a raid is conducted, they can be apprehended. Formal FIR under Section 25 of Arms Act read with Section 61(2) of BNS was registered and thereafter, police party proceeded to the spot from where two persons namely Lovepreet Singh @ Love (petitioner) and Sikandar Singh @ Gola were arrested on 13.07.2025. One pistol .30 bore alongwith six live cartridges and one pistol .32 bore alongwith five live cartridges were recovered from each of the accused. Thereafter, some more accused were arrested who were nominated by the present petitioner. After completion of investigation, final report has been presented in the Court for trial.

4. Learned counsel for the petitioner contended that no offence under Section 111 of BNS is made out as there is no material to the effect that petitioner is associated with any gang indulging in organized crime. At the most, the offence under Section 25 of Arms Act is made out which is triable by Magistrate. Learned counsel next contended that petitioner is in custody since 13.07.2025. After completion of investigation, final report has already been presented. The trial will take sufficiently long time to conclude and as such, no useful purpose will be served by detaining the petitioner in custody anymore and he may be released on bail.

5. On the other hand, learned State counsel has opposed the



bail and argued that in view of the gravity of offence, petitioner does not deserve the concession of bail.

6. One pistol alongwith six live cartridges has been recovered from the possession of petitioner while one pistol alongwith five live cartridges were recovered from co-accused. At this stage, there is no material to show that petitioner belongs to any gang which indulges in organized crime. Challan has already been presented, after completion of investigation. Petitioner is in custody since 13.07.2025. The trial will take a long time to conclude. It is well settled that bail is the rule and jail is an exception and pre-trial incarceration cannot be used as a tool to punish an offender and no useful purpose will, thus, be served by detaining the petitioner in custody anymore.

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

8. Pending misc. application(s), if any, shall also stand disposed of.

11.12.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

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