



CRM-M-62865-2024

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

CRM-M-62865-2024**Date of Decision:-14.02.2025****Kilore Singh.**

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Ramandeep, Advocate for the Petitioner.

Mr. Dharam Pal, AAG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this second petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS) is for the grant of regular bail in case FIR No.339 dated 10.07.2022 under Sections 25(1-A), 29-B, 54, 59 of Arms Act, 1959 (however charges have been framed under Section 25(1-A), 25(8) and 29(B) of Arms Act, 1959 registered at Police Station City Hodal, District Palwal.

2. The brief facts of the case are that on 10.07.2022, the police party was present at near Garhi Mor patrolling duty, a secret informer came present and gave secret information to ASI Hanish Khan that Jaam Singh son of Sukhpal and Kilore Singh (petitioner) both residents of Sahpura, P.S. Sandhwa, District Badwani, Madhya Pradesh were indulging in the business of selling illegal weapons in the states of Haryana, Punjab, Rajasthan and Delhi. That day, also they were coming alongwith a huge quantity of illegal



Arms in some truck and would go to Hodal and then toward Garhi Patti Hodal. If a barricading was done, then the weapons could be recovered. On believing the information, a barricade was set up at Hodal on the demarcation of the informer. After 20 minutes, two persons carrying one bag each were seen who the secret informer identified as Kilore Singh and Jaam Singh. On seeing the police party, both the persons tried to flee, but were caught with the help of police personals. On asking, they disclosed their identity as Kilore Singh and Jaam Singh. The bag of Jaam Singh was searched and 11 country made pistol 32 Bore, 11 extra magazines and from the bag of Kilore Singh 24 country made pistol 32 Bore and 6 country made pistols 315 bore were recovered. FIR no.339 dated 10.07.2022 under section 25(1), 29B Arms Act was registered at the police station Hodal.

3. The Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. There is non compliance of Section 100 Cr.PC in as much as no independent witness has been joined at the time of the alleged recovery. The false implication of the petitioner is substantiated from the fact that the charges have been framed under incorrect sections. As the petitioner was in custody since 11.07.2022 and the Trial is proceeding at a snails pace, he be granted the concession of bail particularly in the circumstances when his wife is ailing.

4. The Counsel for the State on the other hand has filed a Status report by way of affidavit dated 4.2.2025 of Mr. Kuldeep Singh, Deputy Superintendent of Police, Hodal in the court, which is taken on record. While referring to the said status report, he contends that a huge quantity of illicit weapons have been recovered from the petitioner and his co-accused. 10 of the 12 Pws stand examined and the next date of hearing is 17.02.2025 on which date there is every likelihood of the trial being concluded. The

first bail application of the petitioner came to be withdrawn on 17.07.2024 and there are no change in circumstances entitling the petitioner to the grant of bail. As regards the medical condition of the wife of the petitioner, the ailment has been found to be not of a life threatening nature. He, therefore, prays that the present petition seeking bail be dismissed.

5. I have heard learned Counsel for the parties.
6. As per the prosecution case, a huge number of illicit weapons have been recovered from the petitioner and his co-accused. He is an accused in another case of an identical nature arising out of FIR No.248/2022 under Section 25 of the Arms Act P.S. Firozpur Jhirka (Nuh). 10 of the 12 Pws stand examined and therefore the Trial is at the fag end the next date of hearing being 17.02.2025. As per the reply of the State, the wife of the petitioner, namely Shiva Kaur is not suffering from any life threatening disease.
7. In view of the above, I find no reason to grant the concession of bail to the petitioner and therefore, the present petition stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

February 14, 2024
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No