



CRM-M-3880-2025 and other connected cases

116 (3 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3880-2025

Harmanpreet Singh @ Harman @ Amna

.....Petitioner

Versus

State of Punjab

.....Respondent

CRM-M-8035-2025

Manish Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CRM-M-69490-2025

Sandeep Naagar alias Naagar

.....Petitioner

Versus

State of Punjab

.....Respondent

Decided on: 22.04.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Guninder Brar, Advocate
for the petitioner (in CRM-M-3880-2025)

Mr. Aajeshwer S. Grewal, Advocate
for the petitioner(s) (in CRM-M-8035-2025)

Ms. Manju Goyal, Advocate and
Mr. Pankaj Goyal, Advocate
for the petitioner (in CRM-M-69490-2025)

Mr. Neeraj Madaan, Sr. DAG, Punjab

SANJAY VASHISTH, J. (ORAL)

1. By way of this common order, all the above-mentioned petitions are



being decided together as they arise out of the same FIR and common allegations.

2. All the above mentioned accused namely–(i) Harmanpreet Singh alias Harman alias Amna, (ii) Manish Kumar and (iii) Sandeep Naagar alias Naagar have filed bail petitions under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

FIR No.	Date	Section(s)	Police Station	District
116	11.07.2024	25 of Arms Act and 111 of BNS of 2023	Canal Colony	Bathinda

3. As per allegations, police team was while checking suspected persons and the vehicles, four young men were noticed and after making some search, found a black coloured polythene bag kept on the seat of motorcycle. On seeing the police, all four of them got nervous and disclosed their names (i) Ram Kumar @ Byiaa (ii) Sandeep Naagar @ Naagar (petitioner in CRM-M-69490-2025) (iii) Harmanpreet Singh @ Harman (petitioner in CRM-M-3880-2025) (iv) Manish Kumar (petitioner in CRM-M-8035-2025). The black bag found in their possession was checked and thereupon 05 Country made pistol (desi) 32 Bore, 03 Country made pistol (katte) 12 Bore, 01 Country made pistol 315 Bore and 01 Revolver 32 Bore and 10 live cartridges of 32 Bore and 03 cartridges of 12 Bore were recovered.

4. Learned counsel for the petitioner(s) contend that primarily the offences are triable by the Court of learned Magistrate because provision of Section 111 BNS has been wrongly applied instead of provisions of the Arms Act. It is also argued that from the allegations in FIR it does not come out as to how, all the four accused persons were together with heavy bag containing the

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aforementioned huge quantity of weapons. Moreover, it does not come out clearly with whom amongst petitioners' herein were in actual possession of the bag containing weapons, because uniform allegation has been levelled qua all the four accused. One of the common argument by counsel for the petitioner(s) is that conscious possession of bag alongwith weapons was with one accused or with other accused is yet to be determined by the trial Court. Thus, counsel for the petitioner(s) pray for grant of bail.

5. On the other hand, learned State counsel opposes the prayer for bail, submitting that after arrest of the accused Harmanpreet Singh alias Harman alias Amna, he got recorded his disclosure statement during investigation to the effect that 05 pistols 32 Bore and revolver 32 Bore were delivered to one Gurpreet Singh S/o Gurtej Singh. Even other weapons were also to be supplied to someone else at instance of Sandeep Singh @ Kekra, who was also nominated as an accused in the case. Further State counsel submits that recovery in the present case is of huge quantity of weapons, thus, prays for dismissal of the present petition(s).

6. Heard learned counsel for the parties and perused the material available on record.

7. This Court is of the considered opinion that the offence would fall under the provisions of Arms Act or under the new statute i.e. BNS 2023 is an arguable issue; also as on date, it is not clear if conscious possession of the bag alongwith weapons, can be affixed qua all or to one or few of accused, which is yet to be determined during the course of trial after adducing substantial evidence. The petitioners are inside jail since 11.07.2024 and till date only 01 prosecution witness has been examined, out of total 13 prosecution witnesses and 02 of the prosecution witnesses have been given up. It would not be fair if the petitioners



are kept behind the bars without proving of charges beyond doubt.

Except Sandeep Naagar, involvement of the other two accused, in other cases can not be a bar, for considering the plea of bail, more for the reason that in none of such cases, petitioners herein have been convicted till date. However, trial in those cases is stated to be pending.

8. With the aforementioned observations, this Court is of the view that in the circumstances as explained hereinabove, the present petitions are allowed. Petitioners namely, (i) Harmanpreet Singh alias Harman alias Amna, (ii) Manish Kumar and (iii) Sandeep Naagar alias Naagar are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner(s) shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. All the petitions stand disposed of.

11. A photocopy of this order be placed on the files of other connected cases.

22.04.2026

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**(SANJAY VASHISTH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No