



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

236

CRM-M-5824-2026 (O&M)

Date of decision : 06.02.2026

Chanderbhan @Yogi

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Jagtar Kureel, Advocate for the petitioner.

Mr. Sunny Namdev, AAG Haryana.

SURYA PARTAP SINGH, J.

This is first petition for bail filed by the petitioner with regard to FIR No.153 dated 11.07.2025 under Sections 25(8) of Arms Act, Police Station Sadar Palwar, District Palwal. The abovementioned FIR came into being in the backdrop of a tip-off received by Sub-Inspector Israil, who was on duty along with other police officials in the official vehicle at Agra Highway. According to prosecution, as per information given to the above-named Sub-Inspector, three persons, who were involved in the activities of illegal sale of arms and ammunition, were taking tea at Manesar KMP turn Palwal. As per prosecution story, in view of abovementioned information, when the police party visited the spot, they found three persons on a motorcycle, amongst them, one person, namely Santosh, was carrying a backpack and on search of abovementioned backpack, three countrymade pistols were recovered. According to prosecution, the accused Kartik was



travelling in the middle of the bike and driver of the motorcycle was Arun, whereas Santosh was sitting on the rear seat.

2. It is the case of the prosecution that in view of abovementioned information, formal FIR of this case was lodged and the investigation taken up.

3. **Notice of motion.**

4. Mr. Sunny Namdev, AAG, Haryana appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with. The learned State Counsel has filed custody certificate of the petitioner. The same be taken on record. Any formal reply has not been filed by the State and the learned State counsel has opted to orally oppose the present petition.

5. Heard.

6. The record has been perused carefully.

7. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for the decision:-

(i) that the petitioner is already in custody for a period of more than 04 months;

(ii) that the offence is triable by the Court of Judicial Magistrate;

(iii) that nothing is left to be recovered from possession of petitioner;



- (iv) that the co-accused have already been accorded the benefit of bail;
- (v) that the petitioner has clean antecedents;
- (vi) that the trial is not likely to be concluded in near future;
- (vii) that detention of petitioner in judicial lock up is not likely to serve any purpose;
- (viii) that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses; and
- (ix) that there is nothing on record to show that if released on bail, the petitioner will not co-operate/participate in trial.

8. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to the accused as mandated by Hon'ble Apex court in "Balwinder Singh versus State of Punjab and Another", 2024 SCC Online SC 4354.

9. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of bail, and that the present petition deserves to be allowed.

10. Accordingly, without commenting anything on the merits of the case, the present petition is hereby ***allowed***. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the



satisfaction of learned trial Court. However the abovementioned concession shall be subject to following conditions:-

- (i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.
- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- (iii) that the petitioner shall not leave India without prior permission of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

06.02.2026

Gaurav Thakur

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