



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

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CRM-M-10427-2026 (O&M)
Date of Decision:- 04.05.2026

Abhishek @ Abhi ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Gopal Singh Nahel, Advocate for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in case bearing FIR No.117 dated 16.08.2025 registered under Sections 111(4) of BNS, 2023 and Sections 25(6), 25(1-B) (c) of Arms Act, 1959, at Police Station Dhand, District Kaithal.
2. Brief facts of the case are that on 16.8.2025, a secret information was received that co-accused Banit Kumar @ Rambo & Virender @ Om were operating a racket from abroad for supplying of Arms and ammunition to different gangs involved in extortion & other illegal activities. Pursuant thereto, certain members of the said gang were apprehended and cartridges & pistols were recovered from them. On the basis of disclosure statements, the name of the present petitioner surfaced, whereupon he was arrested on 24.8.2025 and three live cartridges were recovered from him.



3. Learned counsel prayed for concession of bail to the petitioner on the following grounds:

- I. That the petitioner has been falsely implicated in the present case with an allegation that he is in a supply chain of the alleged gang.
- II. He has been falsely implicated in this case solely on the basis of second disclosure statement of co-accused Neeraj @ Goldy and the same is inadmissible in evidence.
- III. Learned counsel placed on record the zimni order passed by the trial Court, wherein it has been observed that there is no sufficient evidence to frame charge under Section 111 of BNS i.e. organised crime.
- IV. The present petitioner is in custody since 24.08.2025 i.e. for the last more than 8 months.
- V. He is not involved in any other criminal activity except the present one.
- VI. The recovery of three live cartridges is also doubtful in the view of manner in which it is alleged to have been effected.
- VII. Trial of the case will take sufficient time to conclude.

4. Status report dated 29.04.2026 by way of an affidavit of Ramesh Chand, HPS, Deputy Superintendent of Police (Kaithal), along with custody certificat dated 01.05.2026 has been filed by learned State counsel and the same are taken on record. As per custody certificate, the petitioner is in custody since 24.08.2025, i.e. for the last more than 8 months.

5. Learned State Counsel opposed the present petition on the following grounds:



I. That co-accused, Neeraj, who is a member of a gang, is involved in extortion in the area of Pundri and used to supply the weapons, supplied by Mohd. Sahil, resident of U.P.

II. Recovery of three live cartridges was effected from petitioner.

6. Heard.

7. Keeping in view the submissions of learned counsel for the parties, facts and circumstances of the case, this Court finds merits in the present petition on the following grounds:

I. Investigation qua the present petitioner is complete and challan stands presented.

II. That the petitioner has been nominated in this case solely on the basis of 2nd disclosure statement suffered by Neeraj, which is inadmissible in evidence.

III. Except the disclosure statement, there is no other evidence regarding his complicity in the present case.

IV. The petitioner has been behind bars for the last more than 08 months.

V. He is having clean and clear antecedents and is not involved in any other case.

VI. Trial is likely to take considerable time to conclude.

VII. No fruitful purpose would be served by keeping him in custody for any further period.

8. As concession of bail cannot be denied just as a measure of punishment and it is a trite principle of criminal jurisprudence that bail is a



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rule, jail is an exception. Hence, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

9. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned, subject to such conditions as may be deemed appropriate to ensure his presence.

04.05.2026

Geeta

(SUBHAS MEHLA)
JUDGE

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