

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:076377



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CRM-M-10964-2026 (O&M)
Date of decision:14.05.2026

Yugraj Singh @ Jhagga @ Jograj Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Raghav Soni, Advocate and
Mr. Manish, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case arising out of FIR No.247, dated 22.11.2025, registered under Section 25 (6), (7) and (8) of the Arms Act, at Police Station Cantonment, District Amritsar.

2. The aforementioned FIR was registered on the allegations that on 22.11.2025, on receipt of a secret information to the effect that accused Balwinder Singh @ Bohar was involved in trafficking of illegal weapons in the city of Amritsar and surrounding areas and on the same day also, he was present near Mahl Bypass bridge on a motorbike to strike a deal in illegal weapons and could be apprehended, a raiding party

was formed, which reached at the informed place and apprehended the above named Balwinder Singh @ Bohar. On conducting search, 5 pistols of .30 Bore were recovered from his conscious possession which was taken into custody by the police. He was formally arrested. On interrogation, he suffered a disclosure statement to the effect that the pistols recovered from him were to be supplied at the instance of a Pakistani smuggler to the present petitioner. The petitioner was nominated as an accused and was arrested on 28.11.2025. On interrogation, he too suffered a disclosure statement admitting his involvement in the crime and got recovered 02 pistols of .30 bore make China at his instance, which too were taken into possession by the police. Investigation now stands concluded.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. A false recovery has been planted upon him. He is not involved in any other case of similar nature. He is not required for further investigation. His continued detention would not serve any useful purpose. It is, therefore, argued that the petitioner deserves to be extended the benefit of bail.

4. Per contra, learned State counsel, while relying upon the status report has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have been found in conscious possession of 02 illicit pistols of .30 Bore. Though, he was nominated on the basis of disclosure statement of co-accused, however, the recovery effected from him makes out a *prima facie* case for commission of offence punishable under Section 25(I)(a) of the Arms Act against him. Though, he has been booked and challaned for commission of offence punishable under Section 25 (6), (7) and (8) of the Arms Act, however, it is only on thorough assessment of the evidence to be produced during trial that any definite conclusion as to his involvement in the commission of the aforementioned offence can be drawn. The petitioner is not required for further investigating as it already stands concluded. He is in custody since 30.11.2025. Further incarceration of the petitioner is not going to serve any fruitful purpose. It is well settled proposition of law that the bail is the rule and jail is an exception. Pre-trial incarceration of an accused should not be a replica of post conviction sentencing. Keeping in view the above discussed facts and circumstances, this Court is of the considered opinion that the petitioner deserves to be extended the benefit of bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

7. It is, however, clarified that the observations made hereinabove

shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

14.05.2026

harjeet

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

(MANISHA BATRA)
JUDGE