



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

**CRM-M-21947-2026
Date of decision: 27.05.2026**

ARMAAN SUND

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. P.S. Hundal, Sr. Advocate with
Mr. G.S. Hundal, Advocate, Mr. Kanwar Harjinder Singh,
Mr. J.S. Brar, Ms. Arshpreet Kaur, Advocate for the petitioner.

Mr. Amritpal Singh Gill, DAG Punjab.

.....
RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.137 dated 16.12.2025 registered under Sections 103, 61(2), 249 of the Bharatiya Nyaya Sanhita, 2023 and Sections 25, 27, 54, 59 of the Arms Act at Police Station Haryana, District Hoshiarpur.

2. Brief facts of the present case, as per the prosecution, are that the co-accused Gurtaj Singh in connivance with the other co-accused fired gunshots with pistol towards the brother of the complainant namely Abdul and raised lalkara as a result of which he succumbed to his injuries. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the alleged incident. He further contends that neither the petitioner was present at the spot nor was named in the FIR. It has also been contended



that the petitioner is employed in Dubai and had returned to India only to attend a family function. He further argued that the allegations against the petitioner are that he had provided shelter to main accused Gurtaj Singh and other co-accused. He submits that the petitioner was not aware of the fact that they were murder accused. Even if the case of the prosecution is taken as it is, then at the most, the offence of harbouring is made out against the present petitioner which is bailable. Further, there is no allegation of his involvement in the actual planning, execution or facilitation of the crime. The petitioner has clean antecedents as he is not involved in any other case. The petitioner is in custody since 07.02.2026. The investigation in the case is complete, challan stands presented, however, charges are yet to be framed and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate and status report, which are taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is a first time offender and is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 03 months, investigation in the case is complete; challan stands presented; however, charges are yet to be framed; and the fact that trial may take a long time to conclude, no useful purpose



261

CRM-M-21947-2026

-3-

would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon in *Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "bail is a rule" and "jail is an exception".

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

27.05.2026

puneet

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No