



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

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CRM-M-49763-2025 (O&M)
Date of Decision:- 12.02.2026

Sumit Kumar @ Sumit	... Petitioner
Versus	
State of Punjab	... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Balram Prashar, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.69 dated 01.05.2025, registered under Sections 109, 221, 132 of Bharatiya Nyaya Sanhita, 2023 and Section 25 of Arms Act, 1959, at Police Station Jamalpur, District Police Commissionerate, Ludhiana.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case, as the story of the prosecution is concocted one and it is a no-injury case, whereas the petitioner himself suffered a firearm injury in his right thigh. The petitioner has been in custody since 03.05.2025, i.e., for the last more than nine months. The investigation has already been completed. In view of the above, learned counsel prayed for the grant of bail to the petitioner, as the trial is likely to take considerable time to conclude.
3. Custody certificate of the petitioner filed by learned State counsel in Court, is taken on record. As per custody certificate, the petitioner



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is in custody for the last more than 9 months and 6 days. Learned State counsel opposed the prayer made by learned counsel for the petitioner by submitting that the petitioner is involved in one more case of similar nature and two country made pistols have been recovered from his possession. Hence, in view of seriousness of allegations, learned State counsel sought dismissal of the present bail petition.

4. Heard.

5. Keeping in view the facts and circumstances of the case; petitioner has been in custody for the last about 09 months and 06 days; and keeping in view submission of learned counsel for the petitioner that it is a no injury case to complainant or any police official, the petitioner received bullet injury; investigation qua him has already been completed; and there is no apprehension that if the petitioner released on bail, he will tamper with the prosecution evidence; the trial will take considerable time to conclude, and no fruitful purpose would be served by keeping him in custody for any further period, 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 rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

6. 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.

12.02.2026

Geeta

Whether speaking /reasoned
Whether Reportable

(SUBHAS MEHLA)
JUDGE

Yes / No
Yes / No