

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

2026:PHHC:045216



(118)

CRM-M-59949-2025

Date of Decision: 23.03.2026

Rupesh Kumar Rai

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present:- Ms. Dolli Sharma, Advocate for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ.J (Oral)

The instant first petition is for seeking concession of regular bail in case bearing FIR No.128 dated 04.06.2025 under Sections 25, 54, 59 of Arms Act, 1959 and Section 181 of BNS (Section 25(8) of Arms Act added later on), registered at Police Station Lopoke, District Amritsar Rural.

2. Learned counsel for the petitioner contends that as per the prosecution story, on 04.06.2025, on receipt of secret information, the petitioner along with his co-accused Ajaypal Singh were apprehended upon search of co-accused Ajaypal Singh, one pistol along with magazine CAL 30 made and Chind Norinco inscribed thereon, was recovered and from the search of the petitioner 100 counterfeit currency notes of the denomination of Rs.500/- each (total of Rs.50,000/-) were recovered. She contends that even though the FIR in question has been registered under Section 181 of BNS, however, the necessary ingredients of Section 181 BNS are not made out as no machinery, dye or plant were recovered, on the basis of which the

petitioner may be charged of possessing the counterfeit currency. She, thus, contends that the case would, at best, be made out under Section 182 of BNS. She contends that the petitioner has no criminal antecedents and he is in custody since 04.06.2025. He has thus undergone the custody of nearly 09 months. It is contended that the investigation in the case is complete and charges are yet to be framed and there are 12 prosecution witnesses to be examined, therefore, the conclusion of trial shall take long.

3. Counsel for the respondent-State has not disputed the facts noticed as above.

4. I have heard learned counsel appearing on behalf of the respective parties.

5. In view of the facts noticed above and taking into consideration, the nature of the allegations, the period of custody already undergone by the petitioner, the stage of trial and that the conclusion of the trial is likely to take a long time, I deem it appropriate to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

23.03.2026

lucky

(VINOD S. BHARDWAJ)
JUDGE

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