



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

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**CRM-M No.70222 of 2025
Date of decision : 29.1.2026
Date of uploading : 29.1.2026**

Jobanpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. J.S. Sandhu, Advocate, for the petitioner

Mr. Jaypreet Singh, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.13 dated 26.2.2025 under Sections 111 of Bharatiya Nyaya Sanhita, 2023, Sections 25(6), 27(7) and 28 of Arms Act, 1959 (Section 25(8) of Arms Act added later on), registered at Police Station Harike, District Tarn Taran.
2. Brief facts of the prosecution case are that on 26.02.2025, ASI Sukhwant Singh along with other police officials was on patrolling duty, when he received a secret information to the effect that Jobanpreet Singh @ Joban and Jaspreet Singh @ Jassa possess imported weapons and they have formed a gang, led by one Baltej Singh and they indulge in illegal activities and supply illegal arms and many FIRs have been registered



against them. Now they are present at village Sindhwan Bet and in case a raid is conducted, they can be apprehended. The said information was found to be reliable and formal FIR under Section 111 of BNS, 25(6), 25(7), 28 of the Arms Act was registered and the police party reached at the disclosed place from where both were apprehended. On interrogation, Jobanpreet Singh @ Joban & Jaspreet Singh @ Jassa suffered a disclosure statement to the effect that he has kept concealed Glock 9 MM Pistol along with 02 Magazines and 05 live cartridges under the garbage on the road side on highway and they can get the same recovered. They further disclosed that he had purchased the pistol from Mohpreet singh @ Moh and thereafter, both the accused got recovered the pistol from the disclosed place.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 26.2.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that there is no evidence that the petitioner has formed a gang with any of the co-accused or is indulging in organized crime. Learned counsel has further submitted that after completion of investigation, final report has already been presented and conclusion of trial will take long time. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 28.1.2026



in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 26.2.2025 wherein after investigation was carried out and challan stands presented on 20.5.2025. Total 15 prosecution witnesses have been cited but only one has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 28.1.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 10 months and 23 days. As per the said custody certificate, the petitioner is stated to be involved in 11 more cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed



upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed



hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

29.1.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No