

2026:PHHC:015786



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

211

CRM-M-73762-2025
Date of Decision: 03.02.2026

JAGJITPAL SINGH

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.0050 dated 19.08.2024 under Section 25 of Arms Act, 1959, Sections 336(3), 338, 340(1), 340(2) and 61(2) of BNS, 2023 and Sections 21, 25 and 29 of NDPS Act, 1985 registered at Police Station State Special Operations Cell, Amritsar, District Intelligence Wing (CID), Amritsar.

2. The case of the prosecution is that the abovementioned FIR was registered on the basis of secret information to the effect that one Digvijay Singh was lodged in jail at Jammu in a case and was released on parole but thereafter he did not report back to undergo the remaining sentence. It is further alleged that the said Digvijay Singh is indulged in illegal supply of arms and ammunitions. He is stated to have prepared a fake passport by giving an address of Himachal Pradesh

and was trying to flee abroad. Later on, during investigation, the present petitioner alongwith other co-accused persons was found involved.

3. Learned counsel for the petitioner contends that the name of the present petitioner has surfaced on the basis of a disclosure statement made by his co-accused. He further submits that main accused Digvijay Singh and Gurpreet Singh, from whom the recovery of contraband and illegal weapon was effected, have already been granted concession of bail. It is further stated that neither any incriminating evidence has been discovered against the present petitioner nor has any recovery been effected from him. He contends that the petitioner was arrested in the present case on 20.06.2025 and since then he is in custody. It is further stated that the trial against the present petitioner is yet to commence and as such, the same will take a long time to conclude.

4. On the other hand, learned State Counsel vehemently opposes\ the petition for grant of bail on the ground that the allegations against the present petitioner are serious and he has played an active role in the commission of the offence. Hence, he prays for dismissal of the present petition. However, he could not produce the custody certificate.

5. I have heard the learned counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last more than 07 months and the trial will take a long time to conclude, this Court is of the opinion that the petitioner deserves the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

7. 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 bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.
8. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.
9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

FEBRUARY 03, 2026.

Rajender

(H.S. GREWAL)
JUDGE

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