



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

225

**CRM-M-55635-2024
Decided on:22.08.2025**

Nishan Singh

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Nandan Jindal, Advocate and
Mr. Tushar Sabherwal, Advocate
for the petitioner.

Mr. Chanchal K. Singla, Additional Advocate General, Punjab.

TRIBHUVAN DAHIYA, J.(ORAL)

This petition has been filed under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of regular bail to the petitioner in case FIR No.0081 dated 07.05.2022, registered under Sections 307, 353, 186, 34 of IPC, Section 21 (C) of NDPS Act, 1985 and Section 25 of Arms Act, 1959 (Section 473 of IPC were added later) at Police Station Sadar Faridkot, District Faridkot.

2. As per the allegations in the FIR, four co-accused were arrested with one kilogram of heroin and .32 bore pistol each who fired at the police party also.

3. Learned counsel for the petitioner contended that the petitioner was not been named in the FIR, nor was he apprehended at the spot. He was nominated as an accused on the basis of disclosure statement of co-accused



Kuldeep Singh alias Deepa dated 09.05.2022, alleging that he had ordered five pistols of .32 bore from Gurwinder Singh alias Baba, resident of Indore, Madhya Pradesh. The petitioner's complicity in the case in question has not even been alleged in any manner. The alleged recovery of a weapon does not connect him to the case. He is in custody since 15.05.2022 and has only been charged with offence under Section 25 of the Arms Act.

4. Learned State counsel, on instructions, is not in a position to dispute the facts aforementioned. However, he contends that trial of the case is going on and few of the witnesses, out of thirty-seven, have also been examined. There are twenty-one other cases against the petitioner lodged between 2012 to 2022.

5. Submissions made by learned counsel for the parties have been considered.

6. The petitioner has been charged for commission of offence under Section 25 of the Arms Act, and is in custody for over three years and two months. The trial will take some time to conclude, as the majority of witnesses are still to be examined. Besides, pendency of other criminal cases against the petitioner, can itself not be a ground to deny bail in the instant case which is to be decided on its own facts and circumstances.

7. Accordingly, petition is allowed and the petitioner is directed to be released on regular bail subject to the satisfaction of the trial Court/Duty Magistrate concerned.

(TRIBHUVAN DAHIYA)
JUDGE

22.08.2025

Mehak

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No