



CRM-M No.39204-2024

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

211 (1st case)

**CRM-M No.39204-2024 (O&M)
Date of Decision: 26.05.2025**

Anmol Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Umesh Aggarwal, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present **second** petition has been filed under Section 439 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') for seeking bail pending trial in FIR No. 264 dated 28.11.2023, registered under Section 25(8) of Arms Act, 1959 [Section 29 of Arms Act and Section 120-B of Indian Penal Code, 1860 (for short, 'IPC') added lateron], at Police Station Maqboolpura. District Amritsar.

2. Learned State counsel has produced custody certificate dated 24.05.2025 of petitioner and the same is taken on record.

Registry to do the needful.

3. Allegations are that petitioner along with other co-accused, namely, Jaspreet Singh @ Jassi and Sarthak @ Sagar purchased illegal weapons from Madhya Pradesh and supplied the same to gangsters. Petitioner has been nominated on the basis of disclosure made by above co-accused Jaspreet Singh.

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4. Contends that petitioner was arrested in the present case on 21.12.2023 and after remaining in custody for about 11 months, he was granted interim bail by this Court on 04.11.2024. Also contends that in pursuance of the aforesaid order, he is regularly appearing before learned trial Court and there has been no progress of trial. Further contends that no recovery was effected from the petitioner. Lastly contends that there is no allegation that petitioner is likely to misuse the concession and/or hamper the proceedings in any manner, in case released on bail.

5. *Per contra*, learned State Counsel, on instructions from quarter concerned, has fairly acknowledged the above factual position, but opposed the prayer on the premise that allegations are serious in nature.

6. Heard learned counsel for both the sides and perused the paper book.

7. This Court granted interim bail to the petitioner on 04.11.2024 and order reads as under:-

“Contends that petitioner is in custody since 21.12.2023 and he was nominated on the basis of disclosure made by co-accused Jaspreet Singh @ Jassi, who has already been granted the concession of interim regular bail by this Court vide order dated 27.09.2024 (P-5 in CRM-40107-2024).

Learned State Counsel seeks time to have instructions in the matter.

Posted for 13.12.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned. ”

8. Learned State counsel has acknowledged that no recovery was effected from the petitioner; he is regularly appearing before learned trial Court; there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession and/or hamper the proceedings in any



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manner. Petitioner remained in custody for 11 months before granting interim bail and there is no progress of trial, therefore, in such a scenario, sending the petitioner to custody at this stage would not serve any purpose.

9. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 04.11.2024, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

11. The above observations be not construed as an expression of opinion on the merits of the case.

12. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

26.05.2025

Rajeev (rvs)

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No