



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-55011-2025 (O&M)

Date of decision: 08.10.2025

Jameel

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

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

Present :- Mr. Mohd. Arshad, Advocate and
Mr. Jatin Bansal Kotshamir, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana with
ASI Man Singh, PS Bahin, District Palwal.

VINOD S. BHARDWAJ, J. (Oral)

1. This second petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail to the petitioner(s) in case bearing FIR No.129 dated 07.07.2023, registered under Section(s) 25(1) (1B), 25 (8) and 29 of the Arms Act, 1959 at Police Station Bahin, District Palwal.

2. The prosecution case, in brief, is that on 07.07.2023, when HC Maan Singh along with other police officials were present at Village Bahin, they received a secret information that three young boys would come from village Kot side on a motorcycle bearing registration No. HR-52-F-0804 to sell country-made pistols. Believing this information to be reliable, a temporary Naka (barricading) was set up. After 15-20 minutes, a red motorcycle bearing registration no. HR-52-F-0804 was seen coming from Uttawar side, on which three boys were sitting. On seeing the police party,



they tried to turn the vehicle and run away from there. However, with the help of the police officials, they were overpowered. On enquiry, the boy who was driving the motorcycle, disclosed his name as Sahil @ Chauwan son of Yusuf, resident of Shikarpur, P.S. Sadar Tauru, District Nuh. The boy sitting in between disclosed his name as Azruddin @ Kala son of Babuddin, resident of Shikarpur, P.S. Tauru, District Nuh and the third person sitting as pillion rider disclosed his name as Salman son of Khalil, resident of Kot, P.S. Bahin, District Palwal. On search, two country-made pistols i.e. 12 bore and .315 bore were recovered from Azruddin. On asking, he could not produce any valid licence or permit. A rough sketch was prepared and the motorcycle and both the weapons were taken into possession. On the basis of tehrir, the FIR was lodged. During investigation, one .315 bore country-made pistol with live cartridge was recovered from Sahil and one more country-made pistol.12 bore was recovered from Azruddin.

3. Learned counsel for the petitioner contends that the petitioner was nominated as an accused in the present case on the basis of disclosure statement of co-accused, who was arrested with the illegal arms. His statement was recorded to the effect that the weapons in question were obtained from the petitioner who is stated to be the manufacturer of such fire arms. On the basis of the aforesaid disclosure, a raid was conducted whereupon the petitioner was apprehended. He contends that the person from whose conscious possession the arms were recovered has already been granted the concession of regular bail by this Court vide order dated 02.09.2025 passed in CRM-M-35131-2025 titled as 'Azruddin @ Ajru



Qureshi Vs. State of Haryana'. He submits that the petitioner has undergone an actual custody of more than 02 years, 02 months and 20 days and only 01 witness has been partly examined, out of the total 10 witnesses cited by the prosecution so far and thus the petitioner is entitled to the concession of regular bail.

4. Learned counsel for respondent-State, on the other hand, contends that the case of the petitioner is not identical to that of co-accused/ Azruddin @ Ajru Qureshi, since the said co-accused was not involved in any other case. On the other hand, in the raid conducted at the premises of the petitioner, various materials and the instruments/machinery used in manufacturing fire arms were recovered and the petitioner is also involved in as many as 8 other cases and a majority of those cases are for offences under the Arms Act, 1959. **She further contends that the petitioner being person who would be liable for punishment under Section 25(8) of the Arms Act, 1959 would have to undergo a minimum sentence of 10 years as prescribed thereunder for such person found in possession of unauthorized arms.**

5. Custody certificate dated 07.10.2025 qua the petitioner has been filed by the learned State counsel in the Court today. As per the custody certificate the details of the FIRs registered against the petitioner are as under:

S#	FIR No.	Sections and Police Station	Status
1	272/12	ST 555/2013/2012, dated N/A, registered under Section 395 I.P.C. at P.S.	Not available



		Shahganj, Agra.	
2	130/2004	Registered under Sections 25-54-59 of the Arms Act, 1959 at P.S. Hathin, Palwal.	In Jail
3	133/2022 Dt. 21.2.2022	Registered under Section 174-A I.P.C., at P.S. Kotwali, Faridabad.	On Bail
4	79/2019 Dt. 06.4.2019	Registered under Sections 25/54/59 of the Arms Act, 1959 at P.S. Bahin, Palwal	On Bail
5	18/2024 Dt. 3.2.2024	Registered under Sections 25 /54/59 of the Arms Act, 1959 at P.S. Hathin, Palwal	In Jail
6	241/2022	Registered under Sections 25/29/54/59 of the Arms Act, 1959 at PS Sector-17, Faridabad	On Bail
7	441/2023	Registered under Sections 25-54-59 of the Arms Act, 1959 at P.S. Saran, Faridabad	In Jail
8	290/2012	Registered under Sections 395, 397, 412 I.P.C. at PS Kotwali, Faridabad	On Bail

6. Counsel for the petitioner contends that mere involvement of the petitioner in other cases would be inconsequential since the petitioner has been acquitted in a large number of cases.

7. I have heard the learned counsel appearing on behalf of the respective parties at length and have gone through the documents appended with the instant petition with their able assistance.

8. As per the case of the petitioner, he is involved in 08 other FIRs. It is apparent from the said FIRs that the petitioner was declared as a



proclaimed offender in as many as 2 FIRs whereas he was convicted in 01. Three cases are reported to be pending against him while status of the 04th case has not been apprised. Thus, the contention advanced by the counsel for the petitioner that the petitioner has already been acquitted in other FIRs is neither substantiated by any material on record nor borne out from the pleadings. Further, the minimum sentence prescribed under Section 25(8) of the Arms Act, 1959, upon conviction is rigorous imprisonment for 10 years. Since the offence committed by the petitioner falls entirely within the ambit of the said provision, hence, I find that the case of the petitioner cannot be treated at par with the co-accused/ Azruddin @ Ajru Qureshi, who has already been granted the concession of regular bail by this Court vide order dated 02.09.2025 passed in CRM-M-35131-2025.

9. Consequently, the present petition is dismissed.

(VINOD S. BHARDWAJ)
JUDGE

08.10.2025

Mangal Singh

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