



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

225

**CRM-M-49865-2025
Date of decision : 11.09.2025**

JASKARAN ALIAS KARAN

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

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

Mr. K.D. Sachdeva, DAG, Punjab.

SURYA PARTAP SINGH, J.

1. This is first petition for bail, filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The present petition has been filed with regard to a case arising out of FIR No.85 dated 13.05.2025, under Sections 25/27/54/59 of Arms Act 1959, Police Station Kartarpur, District Jalandhar (Rural).

2. In nut-shell the facts emerging from record are that the above mentioned FIR came into being in the backdrop of the facts that a chance recovery of country-made pistol from the possession of petitioner had taken place. As per the case set up by the prosecution on 13.05.2025, a police party headed by ASI Balbir Singh was on patrolling duty near a brick-kiln at Kishangarh to Kartarpur road, where the above mentioned police party saw two young persons riding on a motorcycle. The above said two persons, when noticed the police party was on their way ahead, they got nervous and tried to flee from the spot on their motorcycle. As per prosecution, on the basis of



suspicion, they were intercepted and on search of their persons, one country-made pistol and two cartridges were recovered.

3. According to prosecution, once the recovery of illegal weapon took place, necessary paper work and other formalities were completed by the police party and the petitioner was arrested.

4. Heard.

5. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case, and that he has no nexus, whatsoever, with the commission of crime. The learned counsel for the petitioner has also argued that otherwise also the petitioner has already suffered sufficient incarceration for being in custody for a period of 03 months and 26 days and that nothing is left to be recovered from the possession of the petitioner. According to learned counsel for the petitioner the trial is not likely to be concluded in near future and therefore, further incarceration of the petitioner would breach his fundamental rights. As per learned counsel for the petitioner in the above mentioned circumstances, the petitioner is entitled for the benefit of bail.

6. *Per contra*, learned State counsel argues that the petitioner does not have clean antecedents. While referring to the order dated 05.08.2025 passed by learned Sessions Judge, Jalandhar, the petitioner is being prosecuted in 03 other cases, i.e. one case under Section 302/307 IPC, another case under Section 323/307 IPC and the third one under Arms Act. According to learned State counsel in view of past conduct of the petitioner, the benefit of bail should be devoid to the petitioner.

7. The record has been perused carefully.



8. A perusal of record shows that in the present case, there are certain relevant factors, which needs to be taken into consideration for arriving at any decision with regard to instant petition. Those factors are:-

- (1) that the offence is triable by the Court of Judicial Magistrate;
- (2) that the petitioner has already suffered sufficient incarceration for being in custody for a period of 03 months and 26 days;
- (3) that nothing is left to be recovered from the possession of petitioner;
- (4) that the trial is not likely to be concluded in near future;
- (5) that detention of petitioner in judicial lock up is not likely to serve any purpose;

9. If cumulative effect of all the above mentioned factors is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of bail.

10. Accordingly, without commenting anything on the merits of the case, the present petition is hereby allowed and the petitioner is admitted to bail subject to his furnishing bail bonds to the satisfaction of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

11.09.2025

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