



248

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

**CRM-M No.30902 of 2025  
Date of decision: 07.08.2025**

**Baldev Singh @ Debu**

**..... Petitioner**

**Versus**

**State of Punjab**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

**\*\*\***

Present: Ms. Anju Sharma Kaushik, Advocate;  
Mr. Abhishek Jindal, Advocate and  
Ms. Mani Makkar, Advocate for  
Mr. Amit Agnihotri, Advocate  
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

**\*\*\***

**RAJESH BHARDWAJ, J. (Oral)**

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.88, dated 28.11.2021, under Sections 3, 4, 5 of Explosive Substances Act, 1908, Section 25 of Arms Act, 1959 and Section 120-B of Indian Penal Code, 1860, registered at Police Station Bhaini Mian Khan, District Gurdaspur.

2. Succinctly the facts of the case are that the police party, while on patrolling on 28.11.2021, received a secret information to the effect that Raj Singh @ Shindu, resident of Waddi Miani, who was lodged in Central Jail, Hoshiarpur in a murder case, was released on bail few days ago. It was alleged that Sonu son of Lal Singh, who was involved in many criminal cases under the NDPS Act, having relations with smugglers of neighbouring



Country Pakistan and had convened the talk of Raj Singh @ Shindu and his companion Sonu, son of Gurbachan Singh with the smugglers from Pakistan. Raj Singh @ Shindu after his release from jail contacted his known Pakistani smugglers and he was supplied with weapons and explosive substances in India by his known Pakistani smugglers. It was alleged that Raj Singh @ Shindu along with his companion Jasmeet Singh @ Jagga were going on a motorcycle make Splendor from Gurdaspur side with an intention to commit some occurrence and in case of *naaka*, they could be apprehended along with the weapons and explosives. Accordingly *naaka* was laid and motorcycle was spotted, which was being driven by Jasmeet Singh alias Jagga and on which, Raj Singh alias Shindu was pillion rider. Both were arrested on the spot. On their search, Jasmeet Singh @ Jagga was found to be having a mobile phone and three currency notes of denomination of Rs.100 each. On search of accused Raj Singh @ Shindu, one pistol alongwith magazine and one mobile phone were recovered. The investigation was completed and the challan was finally presented. During the investigation, complicity of the petitioner surfaced, thus he was also arrayed as an accused in the present case. The petitioner was arrested on 09.12.2021. The petitioner approached the Court of Sessions Judge, Gurdaspur praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Sessions Judge, Gurdaspur declined the bail application filed by the petitioner vide order dated 23.02.2023. Being aggrieved, the petitioner earlier approached this Court by way of filing CRM-M-40641-2023, however, the same was allowed to be dismissed as withdrawn vide order dated 11.07.2024. Hence being aggrieved,



the petitioner has approached this Court again by way of filing the present second petition praying for the grant of bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in this case. She has submitted that the petitioner has been implicated on the basis of disclosure statement allegedly suffered by Joginder Singh @ Shammi on 12.12.2021, which is not even an admissible evidence. She has submitted that co-accused of the petitioner, namely, Sonu Singh, has already been granted bail by this Court vide order dated 12.05.2025 passed in CRM-M No.7654 of 2025 and thus, case of the petitioner is at par with that of the co-accused. She has further submitted that the petitioner is behind bars since the date of his arrest, i.e. 09.12.2021. He further submits that the investigation is complete and charges have been framed, thus, he deserves to be granted bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. She, on instructions, has submitted that name of the petitioner surfaced during the investigation on the basis of disclosure statement of co-accused. She has further submitted that out of 21 prosecution witnesses, 5 witnesses have been examined. She has affirmed the submission made by learned counsel for the petitioner that co-accused, namely, Sonu Singh has already been granted bail by this Court vide order dated 12.05.2025. She has produced custody certificate of the petitioner today in the Court and the same is taken on record.

5. Heard.

6. On hearing learned counsel for the parties and perusing the record, it is deciphered that the FIR was registered on the basis of the secret



information and the petitioner was involved in the present petition on the basis of disclosure statement. Out of total 21 prosecution witnesses, 05 witnesses have been examined. The co-accused of the petitioner, namely, Sonu Singh has already been granted bail by this Court vide order dated 12.05.2025. Custody certificate produced would show that the petitioner has completed incarceration of 01 year, 07 months and 04 days as on 06.08.2025. It further reflects that the petitioner is involved in 13 other cases.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case.

8. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail on parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

**07.08.2025**

*rittu*

Whether speaking/reasoned

Whether reportable

**(RAJESH BHARDWAJ)**  
**JUDGE**

: Yes/No

: Yes/No