



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

213

**CRM-M-50160-2025  
Date of decision : 12.09.2025**

GURBHEJ SINGH @ BHEJA

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

**CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH**

Present: Ms. Meena, Advocate for  
Mr. Amit Arora, Advocate  
for the petitioner.

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

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**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.155 dated 21.07.2025, under Sections 111(1) of BNS, 2023 & Sections 25, 25(6), 25(7)(i), 25(8) of Arms Act, 1959, Police Station Khalra, District Tarn Taran.

2. In nut-shell the facts emerging from record are that the above mentioned FIR came into being when a police party headed by ASI Narinder Singh, while being on patrolling duty, received a secret information that Akashdeep Singh @ Kashi and Lovejeet Singh are carryings illegal weapons, smuggled from Pakistan. According to prosecution case, in view of above mentioned information, on the basis of suspicion, they were intercepted and on search of their persons, illegal weapons were recovered from their possession. According to prosecution during the course of investigation the abovesaid



accused suffered disclosure statement and revealed that the above mentioned weapons were supplied to them by the petitioner. The present petitioner has thereafter been arrested on 25.07.2025.

3. Heard.

4. It has been contended by learned counsel for the petitioner that merely on the basis of disclosure statement of co-accused, the petitioner has been prosecuted and that nothing has been recovered from the possession of the petitioner. It has also been contended that Section 111 has been invoked in this case, without any basis, and that the petitioner is not member of an organization/gang involved in criminal activity. 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 01 month and 17 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 prevailing circumstances, the petitioner is entitled for the benefit of bail.

5. *Per contra*, learned State counsel has argued that the petitioner does not have clean antecedents, as in addition to present case, he is being prosecuted in 02 different cases under Section 307 IPC and under Section 379 IPC. It has also been contended that as per report, in addition to above mentioned two cases, the petitioner is also having two different cases under Arms Act also. According to learned State counsel in view of past conduct of the petitioner, he is not entitled for benefit of bail.



6. The record has been perused carefully.
7. 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 petitioner has already suffered sufficient incarceration for being in custody for a period of 01 month and 17 days;
  - (2) that the contents of FIR no where shows that there is any evidence to establish that the petitioner is involved in organized crime;
  - (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;
8. 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.
9. 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**

**12.09.2025**

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