



244

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

1. **CRM-M-60019-2024**

Gursewak Singh @ SanghaPetitioner

versus

State of Punjab Respondent

2. **CRM-M-56528-2024**

Karanbir DhillonPetitioner

versus

State of Punjab Respondent

Date of decision : 22.04.2025

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rahi Mehra, Advocate
for the petitioner in CRM-M-60019-2024.

Mr. Amardeep Singh, Advocate
for the petitioner in CRM-M-56528-2024.

Mr. J.S. Arora, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, I intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.47 dated 08.08.2024, under Sections 25 of Arms Act and 61(2) of BNS, 2023 (Section 341(2) of BNS added later on) registered at Police Station State Special Operation Cell, Amrtisar, Intelligence Wing (CID) Punjab.

3. Succinctly the facts of the case are that on 08.08.2024, the police party received a secret information to the effect that Gursewak Singh S/o Veer Singh was in contact with anti-national and anti-social



elements and on their instructions, he received a consignment of illegal weapons. It was informed that Gursewak Singh was preparing to carry out some criminal activity along with his accomplices. It was further informed that Gursewak Singh was going to Jandiala, Tarn Taran to hand over the consignment of illegal weapons to his close associates on his activa bearing number PB-18U-4572 and if barricading is laid, he could be arrested along with illegal weapons. On finding the information reliable, the FIR was registered and barricading was laid. The raiding party thereafter arrested the person, who disclosed his name as Gursewak Singh (petitioner in CRM-M-60019-2024) from him illegal weapons i.e. one pistol 30 bore with magazine, one pistol 32 bore with magazine and one magazine were recovered and he was arrested on spot. During investigation, he made a disclosure statement about the involved of co-accused, namely, Karanbir Dhillon (petitioner in CRM-M-56528-2025), who was thus, arrested on 10.08.2024 from who, recovery of one pistol 30 bore along with magazine and 4 live cartridges was made. On their arrest, investigation commenced. They approached the Court of Ld. Additional Sessions Judge, Tarn Taran for grant of bail, however, after hearing both the sides and finding no merits, their applications were declined by the trial Courts vide orders dated 23.10.2024 and 14.10.2024, respectively. Aggrieved by the same, the petitioners are before this Court by way of filing the present petitions.

4. It has been vehemently contended by learned counsel for the petitioners that the petitioners are young boys who have been falsely implicated in this case on the basis of cock-and-bull story. It is submitted that the FIR was registered on the basis of a secret information and the alleged recovery as shown is totally a planted recovery. It is submitted that



the petitioner has no criminal antecedents and they are behind bars from last more than 08 months. It is submitted that till date the trial has not even commenced, thus, in the facts and circumstances of the present case, petitioners deserve to be granted regular bail.

5. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. He has filed the separate status report by way of an affidavit of Mr. Harwinderpal Singh, PPS, Deputy Superintendent of Police, State Special Operation Cell, Amritsar in both the petitions, in the Court today, which are taken on record. He has stated that the petitioner-Gursewak Singh was specifically named in the FIR and on receiving the secret information, he was arrested along with the illegal weapons. He submits that on the disclosure of Gursewak Singh (petitioner in CRM-M-60019-2024), co-accused, namely, Karanbir Dhillon (petitioner in CRM-M-56528-2025) was also arrested from whom illegal weapons were recovered. He submits that in all there are 06 accused out of which 05 accused are already arrested and are behind bars. He submits that on instructions that challan has been presented, however, out of 24 prosecution witnesses none has been examined so far. He has produced the custody certificate of the petitioners.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the FIR in the present case was registered on the basis of secret information wherein the name of the petitioner-Gursewak Singh was mentioned and on his disclosure, Karanbir Dhillon was also arrayed as an accused. The investigation as submitted before his Court already stands completed. Charges have been framed. Custody certificates would show that both petitioner has completed an incarceration of 08 months and 07 days as on 21.04.2025. It further reflects that petitioners have no



criminal antecedents.

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. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, both the petitions are allowed. Petitioners are ordered to be released on bail on their 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.

8. Photocopy of this order be placed on the file of other connected cases.

(**RAJESH BHARDWAJ**)
JUDGE

22.04.2025

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