



228+229+235(3 cases)

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

1. CRM-M-59657-2024

Varinder .....Petitioner

**versus**

State of Punjab ..... Respondent

2. CRM-M-60705-2024

Amandeep Singh @ Romy .....Petitioner

**versus**

State of Punjab ..... Respondent

3. CRM-M-5271-2025

Karan .....Petitioner

**versus**

State of Punjab ..... Respondent

**Date of decision : 20.03.2025**

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

Present :- Mr. K.S. Brar, Advocate for the petitioner(s)  
in CRM-M-59657-2024 and CRM-M-5271-2025.

Mr. Sandeep Sharma, Advocate  
for the petitioner in CRM-M-60705-2024.

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 three 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.30 dated 14.08.2024, under Sections 25(6), 25(7) of Arms Act registered at Police



Station Punjab State Crime SAS Nagar, District Crime Wing, SAS Nagar, Mohali.

3. Succinctly the facts of the case are that the Police received a secret information regarding the involvement of Varinder Singh S/o Sona Singh, Karan S/o Ashok Kumar, Amandeep Singh @ Romi Gurcharan Singh, Sunil @ Nata S/o Joginder Singh and Rahul Bhandari S/o Mahinder Bhatia, in smuggling of illegal weapons. On receiving the information, the case was registered and police constituted a raiding team. On lying the barricade, the disclosed two vehicles i.e. Innova Crysta and XUV 700, were stopped by the Investigating agency and the inmates of the same were nabbed. On asking, they disclosed their names as in the secret information. On conducting their personal search, weapons, revolvers and cartridges were recovered. They failed to produce any license regarding possession of the same and hence the FIR was registered and the petitioners were arrested on the spot. On registration of FIR, the investigation commenced. On completion of investigation, challan was presented. Petitioners-Varinder, Amandeep Singh @ Romy and Karan, approached the Learned Additional Sessions Judge, SAS Nagar, District Mohali praying for grant of bail, however, finding no merit, their applications were declined after hearing both the sides by Learned trial Court vide orders dated 20.11.2024, 10.10.2024 and 24.12.2024, respectively. Aggrieved by the same, petitioners are before this Court by way of filing of present petitions, praying for grant of bail.

4. Learned counsel for the petitioner(s) has vehemently contended that the petitioners have been falsely and frivolously implicated in the present case. It is submitted that the FIR was registered on the basis



of secret information, however, no independent witness was joined at the time of recovery. It is submitted that the alleged recovery has been effected from a public place, however, no independent witness was joined by the investigating agency. It is submitted that though the petitioners are involved in other cases, however, in some of the cases they are on bail and in some cases they have been acquitted. It is submitted that only because of the pendency of other cases, the petitioners have been roped in the present case by the Police. It is submitted that the petitioners are behind bars since the date of their arrest and till date only challan has been presented and hence, their incarceration is intentionally being prolonged. It is submitted that in the facts and circumstances of the case, petitioners deserve to be granted bail.

5. Learned State counsel, on instructions from ASI Varinder Kumar, has opposed the submissions made by the counsel for the petitioners and submits that the petitioners are the habitual offenders. He submits that on receiving the secret information, the barricading was laid and on conducting the personal search of all the accused, one pistol from each accused was recovered, besides this, 40 live cartridges and 04 extra magazines were also recovered. He has placed on record the custody certificates of all the petitioners. It is submitted that investigation is complete and challan is presented, however, charges are yet to be framed.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioners were arrested in the present case on 14.08.2024, while they were allegedly travelling in two vehicles. The investigation already stands completed. The custody certificate produced before this Court would reflect that they have completed an incarceration



of 07 months and 02 days. It further reflects that though the petitioners are involved in some other cases, however, in some of the cases, they have been acquitted and in some cases they are on bail. Merely pendency of other cases, would not be a ground for the non-consideration of the bail in case in hand.

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, all 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. In case the bail bonds are not furnished by the petitioners during the period of 07 days from today, then their further custody period after one week will not be counted in the present cases.

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

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

**20.03.2025**  
*ps-I*

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