



CRM-M-25286-2025

1

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

238

**CRM-M-25286-2025
Decided on :29.07.2025**

Akashdeep Singh @ Mota

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Bhisam Kinger, Advocate
for the petitioner.

Mr. Jasdeep Singh, Addl. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.0172 dated 23.09.2023, under Sections 399, 402 of IPC (Sections 307, 216, 353,186 of IPC were added later on), Section 25 of Arms Act and Sections 21, 29 of NDPS Act, registered at Police Station Sadar Tarn Taran, District Tarn Taran.

2. Learned counsel for the petitioner contends that the petitioner is in custody since 23.09.2023 on the allegations that he, along with his co-accused, was part of a gang allegedly involved in criminal activities such as snatching, robbery, and offences under the NDPS Act. It is further submitted that a .32 bore pistol along with three live cartridges was allegedly recovered from the possession of the petitioner. Counsel submits that no injury has been attributed to the petitioner. Counsel further contends that the question i.e. whether the petitioner was indeed

**CRM-M-25286-2025****2**

part of a gang involved in such criminal activities is a matter of trial. The petitioner has no previous criminal antecedents and has been falsely implicated in the present case due to suspicion or association with the gang Accordingly, prayer is made for the grant of regular bail

3. On the other hand, learned State Counsel, while opposing the prayer for bail, has produced the custody certificate in Court and does not dispute the fact that petitioner has been in custody since 23.09.2023. It is also not disputed that, till date, only 2 prosecution witnesses have been examined out of a total of 21. Learned State Counsel further concedes that no specific role, has been attributed to the petitioner in the incident, and it was only the co-accused, Avtar Singh @ Sahil, who allegedly fired upon Inspector Prabhjit Singh, who did not sustain any injuries during the said occurrence.

Upon a pointed query posed by the Court regarding recovery of any contraband from the petitioner, learned State Counsel, on instructions, replied in the negative. However, it is submitted that at the time of arrest, the petitioner was found in possession of a .32 bore pistol along with three live cartridges, which were recovered by the police. Accordingly, learned State Counsel opposes the grant of bail and prays for dismissal of the present petition

4. Having considered the rival submissions made by learned respective counsel and upon perusal of the material available on record, it is noticed that the petitioner is in custody since 23.09.2023. It is further not in dispute that co-accused, namely Shamsher Singh @ Munshi @ Buntly and Rupinder Singh @ Bhinda, have already been granted the

**CRM-M-25286-2025****3**

concession of regular bail by a Co-ordinate Bench of this Court vide orders dated 23.01.2025 passed in CRM-M-43715-2024 and CRM-M-37070-2024, respectively. Moreover, till date, only two prosecution witnesses have been examined out of a total of 20, and the conclusion of the trial is likely to take considerable time. The personal liberty of the petitioner cannot be curtailed for an indefinite period, particularly in the absence of any substantial progress in the trial proceedings. The petitioner's specific involvement in the alleged offence is yet to be established and is a matter of trial. In view of the totality of the circumstances and without expressing any opinion on the merits of the case, this Court finds merit in the petitioner's prayer for grant of regular bail.

5. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

7. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.



CRM-M-25286-2025

4

8. Petition stands disposed of.

**(SANJAY VASHISTH)
JUDGE**

29.07.2025

Rashmi

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No