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

**CRM-M-55065-2024
DECIDED ON: 13.01.2025**

KARAN SHARMA**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. S.K. Tripathi, Advocate,
for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner namely Karan Sharma, aged about 20 years, seeking grant of regular bail in case bearing FIR No.118, dated 07.07.2024, under Sections 111(2)(3)(4)(6) BNS and Sections 25(7)/54/59 of Arms Act, registered at Police Station Civil Lines, District Amritsar.

2. At the very outset, learned counsel for the petitioner relies upon the order dated 08.01.2025, passed by this Court in CRM-M-64140-2024, in the case of co-accused of the petitioner, namely, Gobind Sharma, and submits that case of the prosecution is that F.I.R. has been got registered at the instance of one Sub Inspector namely Dilbagh Singh with the allegations that he received some secret information that some persons have formed an organized gang of criminals, who are already involved in the criminal cases. After buying arms/ammunition at low



rates from other States through illegal means, same are being supplied to the bad elements in the State of Punjab at high rates, and also use those weapons for carrying out serious organized crimes by forming an organized crime organisation, named, Sukha Pistol Group Syndicate. They have links with other gangsters groups, provide funds to fugitive gang members, and are trying to commit an organised crime in the area of Civil Lines, Amritsar.

3. By registering the FIR, names of the suspects were mentioned as (1) Jai Sharma @ Sukha Ambasaria, resident of Guru Nanakpura Kol Khalsa Amritsar, (2) Suraj Sharma @ Sucha r/o Guru Nanakpura, Kot Khalsa, Amritsar, and (3) Nikhil Sharina @ Lalla resident of 88 foot road, Amritsar and their other associates.

4. Counsel for the petitioner submits that his client is not involved in any other criminal activity, till date.

5. He further submits that on the basis of the disclosure statement of the third accused mentioned in the FIR namely Nikhil Sharma @ Lalla, petitioner herein has been involved as an accused, and is dragged in the present criminal case. He has no connection with any kind of alleged crime.

6. Counsel for the petitioner further argues that it would be a debatable question that whether any proceeding can be initiated against the petitioner with the set of allegations mentioned in the FIR for convicting him for the alleged offences because no specific continuing unlawful activity being a cognizable offence and punishable with an



imprisonment for a period of three years or more, is alleged till date by the prosecution. The F.I.R. is only on imaginary basis.

7. Counsel for the petitioner further argues that there is no investigation till date that from which State, the weapons have been purchased by the accused persons or even the alleged pistol, two magazines and four live cartridges which have been planted against the petitioner. Therefore, no link evidence is collected.

The petitioner is said to be inside jail for the last about 6 months. Thus, he prays for releasing of the petitioner on bail.

8. On the other hand, learned State counsel filed status report by way of affidavit of Maninder Pal Singh, PPS, Assistant Commissioner of Police, North, Amritsar, dated 12.01.2025, which is taken on record.

Learned State counsel is unable to controvert any of the submissions addressed by counsel for the petitioner which has been recorded here above.

Learned State counsel also informs that the investigation is complete and the final report has also been submitted. The trial is yet to commence, and does not dispute the fact that conclusion of the trial may take a considerable time.

9. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

10. 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.

11. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

13. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

14. Petition stands disposed of.

13.01.2025

Lavisha

**(SANJAY VASHISTH)
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*