

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:081820



316

CRM-M-33139-2025

Date of decision:08.07.2025

Rajesh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sushil Sheoran, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.154 dated 06.05.2025 registered under Section 25(1B) of the Arms Act (Sections 111(2)(B) and 111(3) of BNS were added lateron), at Police Station Jind Sadar, District Jind.

2. As per allegations, on 06.05.2025, a police party was present near Chaudhary Vaishno Dhaba within the jurisdiction of police station Sadar Jind in connection with crime detection and patrolling duty, when a youth was found standing on the road in front of the dhaba. On seeing the police vehicle, he started walking towards the dhaba. On suspicion, he was stopped and interrogated. He disclosed his name as Parveen. On conducting

his search, one country made pistol .32 bore along with one live cartridge was recovered from his custody. He failed to produce any license for possessing the same. Accused Parveen also suffered a disclosure statement to the effect that he had been given the recovered pistol and cartridge by the present petitioner. In pursuance of his disclosure statement, the petitioner was nominated as an accused and was arrested on 20.05.2024. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused which cannot be considered to be admissible in evidence. The co-accused has been extended benefit of bail. On parity, he too, deserves to be given the same benefit. No recovery has been effected from him. The subject offences are triable by the Magistrate. He is on bail in all cases pending against him. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. Therefore, it is argued that he deserves to be extended the benefit of bail.

4. Notice of motion.

5. Learned State counsel on advance notice of the petition has appeared and is ready to argue the matter. Custody certificate has been filed by him and it is argued that there are serious allegations against the petitioner, who is involved in two other cases and is a habitual offender. It is also submitted that there are chances of the petitioner's absconding and intimidating the witnesses if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned

counsel for the parties carefully.

7. The petitioner is alleged to have supplied one country made pistol and live cartridge to the co-accused. Though, he is alleged to be a member of an organized crime. However, no material is shown to be available on record to prove so at this stage. The subject offences are triable by the Magistrate. The investigation and trial would take considerable time to conclude. No useful purpose is going to be served by keeping the petitioner in custody anymore. His involvement in other cases cannot be considered to be a ground for denying benefit of bail to him.

8. Keeping in view the above discussed facts, this Court is of the considered opinion that the petitioner deserves to be released on bail. Accordingly the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court/learned Chief Judicial Magistrate/Duty Magistrate concerned.

9. It is, however, made clear that nothing stated hereinabove shall have any bearing on the merits of the case.

10. This order shall come into force from the time it is uploaded on this Court's official webpage.

(MANISHA BATRA)
JUDGE

08.07.2025

harjeet

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