



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

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**CRM-M-51012-2024  
Date of decision: 03.07.2025**

JOGINDER SINGH ALIAS DOGAR

....Petitioner

**Versus**

STATE OF PUNJAB

...Respondent

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present : Mr. Vikas Gupta, Advocate  
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

**SANJAY VASHISTH. J.(Oral)**

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

<b>Name of Petitioner(s)</b>	<b>FIR No.</b>	<b>Date</b>	<b>Section(s)</b>	<b>Police Station</b>	<b>District</b>
JOGINDER SINGH ALIAS DOGAR	30	19.05.2024	25 of Arms Act, 1959 and under Section 120-B of IPC, 1860 and under Section 27-A of NDPS Act, 1985 (added later on)	SSOC, Amritsar	Intelligence Wing (CID)



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2. Prior to the petitioner's involvement in the present case, counsel has submitted a note detailing a series of incidents, involving the petitioner in other cases, apart from the present one. The same are reproduced hereunder:

- “(i) 30.03.2022 *FIR No. 59 at P.S. Sadar Tarn Taran was registered against the petitioner and others*
- (ii) 10.06.2022 *FIR No. 123 was registered at P.S. City Tarn Taran against the petitioner*
- (iii) 10.06.2022 *Petitioner was arrested in FIR No. 123 dated 10.06.2022, P.S. City Tarn Taran*
- (iv) 13.07.2022 *Petitioner was arrested on production warrant in FIR No. 59 dated 30.03.2022*
- (v) 02.09.2022 *Petitioner was granted bail by the ld. court of Smt. Priya Sood, Sessions Judge, Tarn Taran in FIR No. 123*
- (vi) 05.11.2022 *Petitioner was granted bail by the ld. court of Sh. Kawaljit Singh, Addl. Sessions Judge, Tarn Taran in FIR No. 59*
- (vii) 01.12.2022 *Petitioner was arrested in FIR No.280 dated 01.12.2022, P.S. Chheharta, District Amritsar. (granted bail on 16.10.2024).*
- (viii) 23.05.2024 *Petitioner was arrested on production warrant in FIR No.30 dated 19.05.2024.”*

3. Counsel submits that in case bearing FIR No.59 at P.S. Sadar Tarn Taran (at serial No.i) petitioner had been released on bail on 05.11.2022 (at Serial No.vi). In the case bearing FIR No. 123 was registered at P.S. City Tarn Taran (at serial No.ii) petitioner had been released on bail by the Court of Sessions on 02.09.2022 (at serial No.v).

Subsequently, in case bearing FIR No.280 dated 01.12.2022 (serial No.vii), petitioner was granted the concession of regular bail by the Co-ordinate bench of this Court vide order dated 16.10.2024 in CRM-M-49851-2024.

Counsel also argues that while petitioner was in custody in case



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bearing FIR No.280 dated 01.12.2022, Police Station chheharta, District Amritsar (at serial No.vii), he was found involved in 07 other cases, including the present case i.e. FIR No.30 dated 19.05.2024, at Police Station SSOC, Amritsar, District Intelligence Wing (CID) (at serial No.viii).

Counsel for the petitioner further argues that in all the cases registered after his arrest on 01.12.2022, the prosecution has built up its case only on disclosure statement of the already arrested accused, which infact is a weak kind of evidence and requires to be strongly proved with the help of some admissible evidence of strong nature.

Counsel also argues that while considering the plea of bail in case bearing FIR No.280 dated 01.12.2022, P.S. Chheharta, District Amritsar (at Serial No.vii), the co-ordinate bench of this Court had already noticed all the submissions which are now also likely to be apprised by the State counsel in the present case also i.e. involvement of the petitioner in number of other cases, involving in the anti-national activities. However, still the Co-ordinate Bench of this Court granted the concession of bail to the petitioner in FIR No.280 dated 01.12.2022, P.S. Chheharta, District Amritsar, even after noticing the fact that petitioner had been involved in other cases also.

Additionally, it is submitted that in the instant case petitioner has been charged primarily for the alleged offence committed under the Arms Act and under the NDPS Act. Though, admittedly there is no recovery of any weapon or narcotic contraband in the instant case and petitioner is nominated as an accused only on the basis of the disclosure statement of his co-accused.

Petitioner is stated to be inside the jail since 23.05.2024 and despite



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completion of investigation *qua* the petitioner, charges have even not been framed, therefore, culmination of the trial is likely to take considerable time, which cannot be subjected to the liberty of the petitioner.

Lastly, counsel argues that despite registration of number of cases, prosecution has not succeeded in ensuring the conviction of the petitioner, even in a single case. Thus, he prays for grant of regular bail to the present petitioner.

4. On the other hand, learned State counsel while opposing the contention of counsel for the petitioner submits that there is ample evidence with the prosecution, showing anti-national activities of the petitioner. He is involved in 09/10 criminal cases of very serious nature in which there is a huge recovery of weapons/drug money.

Status report dated 01.07.2025 by way of an affidavit of Harwinderpal Singh, PPS, Deputy Superintendent of Police, State Special Operation Cell, Amritsar has been filed on behalf of respondent-State. The same is taken on record.

Learned State counsel further submits that petitioner is having relations with anti-national groups, who are in regular connection with the Pakistani smugglers/terrorists. However, he is unable to controvert the factual assertions argued by counsel for the petitioner.

5. I have heard the contentions of counsel for the respective parties and has gone through the record and the notes given by counsel for the petitioner.

6. Admittedly, petitioner is there inside the jail in the instant case for the last more than one year. It is admitted position that the process of recording statement of the witnesses is yet to start because the charges have not even been



framed till now.

7. Moreover, learned State counsel has already submitted his written objections while granting concession of bail to the petitioner, vide order dated 16.10.2024, passed in CRM-M-49851-2024 in FIR No.280 dated 01.12.2022, under Sections 307, 120-B, 148 and 149 of IPC and under Section 25(8) of Arms Act, 1959 at Police Station Chheharta District Amritsar.

8. Admittedly petitioner has not been convicted in any other case. Also, in most of the cases, involvement of the petitioner is shown through the disclosure statement of the co-accused.

9. It is also admitted position, that in the instant case neither any narcotic substance, weapon or drug money has been recovered from the petitioner.

10. As per the 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.

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. 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.



13. However, it is clarified that if there is any allegation of threatening or influencing the witnesses or substantiating with some evidence, the respondent-State would be at liberty to move an appropriate application seeking cancellation of bail.

14. Petition stands disposed of.

03.07.2025  
amandeep

(SANJAY VASHISTH)  
JUDGE

Whether speaking/reasoned. : Yes/No  
Whether Reportable. : Yes/No