

2025:PHHC:073908



105.

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

CRM-M-29032-2025

Date of decision: 28.05.2025

Shammi Kapoor @ Deepa

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Manpreet Singh Sidhu, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition filed under Section 482 of BNSS, 2023, is for grant of anticipatory bail to the petitioner in case FIR No.056, dated 22.04.2025, under Section 25 of Arms Act, 1959 and Section 111 of BNS, 2023, registered at Police Station Balachaur, District Shaheed Bhagat Singh Nagar (Nawanshahr).

2. Learned counsel for the petitioner submits that the petitioner's false implication in the present case is evident from the fact that he was not present along with the other co-accused when they were apprehended by the police following a secret information. It has been contended that the petitioner came to be nominated as an accused on the basis of a disclosure statement suffered by co-accused, who claimed that the petitioner was the supplier of the arms which were recovered from them on being arrested by the police. Learned counsel submits that in the circumstances, the petitioner

deserves to be extended the concession of anticipatory bail more so when he is willing to join investigation and cooperate with the Investigating Agency.

3. Notice of motion.

4. On the asking of the Court, Mr. H.S.Deol, Senior DAG, Punjab, accepts notice on behalf of respondent-State. Learned State counsel has, however, vehemently opposed the prayer and submissions made by the counsel opposite. He, on instructions, has submitted that the petitioner is a man of criminal antecedents; the petitioner was on bail when he was made an accused in the present case. It has been further submitted that a specific secret information had been received by the police wherein not only the names of other two accused, who were apprehended at the spot by the police but even the name of the petitioner was there in the tip-off. Learned counsel has submitted that although the petitioner was not apprehended at the spot, however, the disclosure statement which was suffered by the co-accused, coupled with the name of the petitioner already surfacing in the secret information leaves no manner of doubt about his active participation in the instant case. It has also been submitted by the learned State counsel, on instructions, that the petitioner is the mastermind and the alleged supplier of the recovered weapons. It has been further submitted that the petitioner is booked in a case under Section 307 etc. of IPC and under NDPS Act.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. Prima facie, there are direct and specific allegations against the petitioner, who was not only named in the secret information but his name also surfaced during the interrogation of co-accused. This Court cannot turn a blind eye to the involvement of the petitioner in two other criminal cases on which he was on bail when he yet again participated in the crime in question.

7. In view of the foregoing discussion, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

8. Present petition stands dismissed accordingly.

9. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 28, 2025
sanjeev

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