

**IN THE COURT OF NAVDEEP KAUR GILL,
ADDITIONAL SESSIONS JUDGE (UID NO. PB0297),
SAS NAGAR.**

Case Type	Regular Bail Application
CNR Number	PBSA-0100-5888-2026
Bail Application Regd. Number	BA-1743-2026
Date of Order	05.06.2026

Vivek Tomar, aged about 31 years, son of Sunder, resident of House no.B-14, Type-1, Aram Bagh, Paharganj, Swami Ram Tirth Nagar, SO Central Delhi.

.....Petitioner

Versus

State of Punjab

.....Respondent

FIR No.57 dated 02.05.2026
Under Sections: 25/54/59 of Arms Act.
Police Station: Banur, District SAS Nagar.

Bail Application Under Section 483 of BNSS, 2023

Present: Sh. Parminder Walia, Advocate Counsel for the petitioner.
 Sh. RS Ahluwalia, Learned Additional P.P. for the State
 assisted by ASI Jaswinder Singh, No.2668/PTL.

ORDER:-

1. This order of mine shall dispose of bail application filed by the accused-petitioner seeking regular bail in terms of Section 483 of BNSS, arising out of above said FIR.
2. Notice of bail application was issued to the State, pursuant to which, learned Additional Public Prosecutor put in appearance and opposed the bail application. Police record was also requisitioned and perused.

3. Succinctly stated, the facts of the present case are that on 02.05.2026 at about 06:30 PM, police party headed by ASI Jaswinder Pal was conducted checking of vehicles coming from Gharatawala cut on Tepla Road. Police party was conducting checking of vehicles coming from the side of Landran. Several vehicles were moving slowly and intermittently on the road, in the meantime, one silver coloured Mahindra XUV-700 bearing registration no.DL-8C-BE-3713 being driven by crop headed person was spotted approaching. However, on seeing the police party standing ahead, the said person attempted to move away in a nervous manner by taking cover of other vehicles. On the basis of suspicion, the police party intercepted and stopped the vehicle. Upon search of driver of the car, one country-made pistol along with a magazine containing four live cartridges marked 'KF 7.65' were recovered from his right side waistband, regarding which he could not produce any permit or license. Consequently, instant FIR under Section 25 of Arms Act was registered. Petitioner was arrested on 02.05.2026 and he is in custody since then.

4. Learned counsel for petitioner has argued that petitioners have been falsely implicated in the present case. It has been strenuously urged that false recovery of weapon has been shown to be recovered from the petitioner. It has been further contended that presentation of challan will take sufficient time and no purpose would be served by keeping the petitioner behind the bars for an indefinite period. It is also submitted that petitioner has already suffered sufficient incarceration, as he is in custody

for more than 30 days. Finally, it has been entreated that present bail application may kindly be allowed.

5. Per contra, learned Addl. PP for State has vehemently opposed the arguments of learned counsel for petitioner and has argued that petitioner is very much involved in the offence as he was arrested from the spot on 02.05.2026 and one country made pistol, magazine and 4 live cartridges of .32 bore were recovered from him. Finally, he has prayed that bail application of the bail applicant may kindly be dismissed.

6. I have heard the rival submissions of the Learned counsel for the petitioner and Learned Addl.PP for the State and have perused the file with their able assistance.

7. In the present case, admittedly accused is in custody since 02.05.2026 and challan has not been presented till date. Undenyingly, conclusion of trial would take some time and therefore, no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period. Moreover, the offence with which present accused has been charged with is triable by the Magistrate. Moreover, criminal liability of the petitioner will be determined during the course of trial. Under these circumstances, this court is of the considered view that further detention of petitioner in the present case is not warranted by law.

8. Resultantly, the present bail application is **allowed** and the petitioner is ordered to be released on bail subject to furnishing bail bonds in the sum of **Rs.50,000/-** with one surety in the like amount to the satisfaction of **learned Illaqa Magistrate/Duty Magistrate** subject to

the following conditions:-

- (i) That accused/applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.
- (ii) That accused/applicant shall not leave the country without prior permission of the court.
- (iii) That accused/applicant shall appear in the court on each and every date of hearing.
- (iv) That he shall not commit an offence similar to the offence of which he is accused or suspected.

9. Copy of this order be sent to the **Ld.Area Magistrate/Duty Magistrate** for necessary compliance. Police record be returned against proper receipt. File be consigned to the Record Room, SAS Nagar, Mohali after due compliance within time prescribed, as per rules.

Date of Order: 05.06.2026

(*Ashana-JW*)

(Navdeep Kaur Gill)
Additional Sessions Judge,
SAS Nagar (Mohali)
UID No. PB-0297