



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

(210)

CRM-M-37590-2026 (O&M)

Date of Decision: **17.07.2026**

LOVEPREET MAHI ALIAS LAVI AND ANOTHER

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-:-

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Damanjit Singh Sandhu, Advocate
for the petitioner.

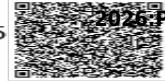
Mr. Baljinder Singh Sra, Addl. A.G. Punjab.

-:-

VIRINDER AGGARWAL, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973) seeking the concession of regular bail in FIR No. 154 dated 28.11.2025, registered under Sections 308(2), 351(2), 61(2) and 111 of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 384, 506, 120-B and 111 IPC) and Sections 25(8) and 11 of the Arms Act, 1959, at Police Station Sadar Banga, District Shaheed Bhagat Singh Nagar, Punjab.

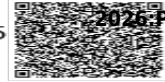
2. The prosecution case, as unfolded from the statement of the Investigating Officer, is that while the police party was on routine patrolling and checking of suspicious persons near the Bus Stand, Guru Nanak Mission Hospital, Village Dhahan, a secret informer furnished credible information that the present petitioners and their associates were



habitual possessors of illegal firearms and were actively involved in criminal activities at the behest of Malkit Mehmi, presently residing in England, and Parminder Singh @ Prabh, residing in the United States of America. It was further disclosed that the accused persons, while travelling on a motorcycle, were proceeding towards Village Jandiala with illegal weapons to commit a serious offence and could be apprehended if an immediate raid was conducted. The information further alleged that the foreign-based accused were financing and supplying illegal arms to the petitioners and their associates for carrying out criminal activities in Punjab in furtherance of a criminal conspiracy. Treating the information as reliable and disclosing the commission of cognizable offences under the aforesaid provisions of the Bharatiya Nyaya Sanhita and the Arms Act, the present FIR came to be registered and investigation was set into motion.

3. Learned counsel for the petitioners vehemently submits that the petitioners are entirely innocent and have been falsely implicated in the instant case by the law enforcement agency. It is strenuously contended that the alleged recovery is completely fabricated and has been planted upon the petitioners to construct a baseless case against them. Attention is respectfully drawn to the fact that the petitioners have been languishing in continuous judicial custody since 28th November, 2025.

3.1. It is further submitted that since the investigation is complete and the *challan* has already been laid before the competent Court, the custodial interrogation of the petitioners is no longer warranted, nor do they pose a risk of tampering with evidence or influencing witnesses. Consequently, no fertile or useful purpose would be served by their



protracted pre-trial incarceration pending the conclusion of the trial. In light of these circumstances, it is respectfully prayed that this Court may be pleased to extend the concession of regular bail to the petitioners, in the interest of justice.

3.1. Notice of motion.

4. Mr. Baljinder Singh Sra, learned Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and has placed the custody certificates of the petitioners on record. Learned State counsel vehemently opposes the grant of regular bail, strenuously contending that the petitioners are habitual offenders with a documented history of criminal antecedents. It is submitted that contraband in the nature of illegal arms and ammunition was recovered directly from their conscious possession, thereby underscoring the severity of the offense.

4.1. It is further submitted that, given the gravity of the allegations, the heinous nature of the offenses, and the severe punishment they entail, there exists a well-founded and reasonable apprehension that the petitioners, if enlarged on bail, are highly likely to tamper with the prosecution evidence, intimidate or influence material witnesses, or abscond from the process of law. Consequently, keeping in view the threat to public order and the integrity of the impending trial, it is respectfully prayed that the present petition be dismissed out of hand.

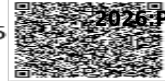
5. I have heard learned counsel for the respective parties at considerable length and have carefully perused the paper book and the material available on record with their able assistance.



6. Admittedly, the petitioners have been in continuous judicial custody since 28.11.2025. Given that the investigation is complete and the *challan* has already been submitted before the competent Court, the petitioners' custodial interrogation is no longer required. Pertinently, charges are yet to be framed, and the trial itself has failed to make any meaningful progress, proceeding at an absolute snail's pace. With no foreseeable prospect of the trial concluding in the near future, the continued incarceration of the petitioners as undertrials operates as a punitive measure. The right to a speedy trial is an inextricable and foundational facet of the Right to Life and Personal Liberty guaranteed under Article 21 of the Constitution of India, and it cannot be subverted by prolonged pre-trial detention. Consequently, under the facts and circumstances of the present case, no useful purpose would be served by further detaining the petitioners during the pendency of the trial.

6.1. Accordingly, without expanding upon or expressing any opinion on the merits of the case, so as to avoid causing any prejudice to either party during the trial, the present petition is **allowed**. It is respectfully prayed that the petitioners be admitted to regular bail, subject to their furnishing adequate bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate / Illaqa Magistrate / Duty Magistrate concerned, and further subject to the following conditions:-

- i. The petitioner(s) shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts before the Court or to the Investigating Agency.



- ii. The petitioner(s) shall not tamper with the prosecution evidence in any manner whatsoever, nor shall the petitioner(s), directly or indirectly, attempt to influence, intimidate, or contact any prosecution witness.
- iii. The petitioner(s) shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event any of the petitioner(s) is in possession of a passport, the particulars thereof shall be furnished before the Investigating Officer as well as the learned Trial Court.
- iv. Before accepting the bail and surety bonds, the learned Illaqa Magistrate/Duty Magistrate/C.J.M. concerned shall obtain from the petitioner(s) the permanent residential address as well as the present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours of the acceptance of the bail bonds and place a verification report on record. In the event any of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.
- v. The petitioner(s) shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, the Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information shall constitute a valid ground for seeking cancellation of the concession of bail in accordance with law.



- vi. The petitioner(s) shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days of such change.
- vii. The petitioner(s) shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless personal appearance is exempted in accordance with law. The petitioner(s) shall not absent from the proceedings without obtaining prior permission of the learned Trial Court. In the event of violation of any of the aforesaid conditions or unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of bail and issuance of appropriate coercive process, including warrants of arrest.
7. In light of the final disposition of the captioned matter, all pending miscellaneous and interconnected applications are hereby deemed disposed of. The adjudication of the primary dispute has spent the force of these ancillary proceedings, rendering them infructuous *ex facie*. Consequently, no independent or supplemental orders are warranted or required in respect thereof.

17.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No