



CRM-M-60428-2025

- 1 -



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

126

**CRM-M-60428-2025
Decided on : 06.03.2026**

RADHA KRISHAN

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Aditya Sanghi, Advocate and
Mr. Sandeep Vashisht, Advocate, for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. At the outset, learned State counsel has filed the status report dated 25.02.2026 and custody certificate dated 05.03.2026 in Court today, which are taken on record. Office to tag the same at appropriate place.

Copies thereof have been handed over to the counsel for the petitioner.

2. 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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Radha Krishan	364	19.07.2025	305, 317(2), 318(4), 338, 336(3), 340(2), 340 of BNS, 2023 and 25(1)(a) of the Arms Act 54 of 1959	Rania	Sirsa

3. Learned counsel for the petitioner submits that while the members of the police party were on patrolling duty and had reached near



the canal culvert adjoining Village Naiwala, secret information was received that two persons, namely Devender Singh @ Heera and Radha Krishan @ Radhe (petitioner herein), who were in possession of illegal arms and were presently travelling together in a Fortuner vehicle bearing fake number plate No. HR26-EQ-4209, affixed for the purpose of concealing their identity, could be apprehended if intercepted. Accordingly, investigation was initiated and when the said Fortuner vehicle was intercepted by the police patrolling party, both the accused were apprehended along with weapons.

Accused Devender Singh @ Heera got recovered one .32 bore revolver along with six live cartridges, whereas the petitioner Radha Krishan @ Radhe got recovered one .32 bore pistol along with two live cartridges. Besides, both the accused were jointly found in possession of 10 live .315 bore cartridges and a currency amount of ₹3,82,000/-. Thus, both the accused were arrested on the spot.

4. Learned counsel for the petitioner argues that the petitioner Radha Krishan @ Radhe is aged about 32 years and never, in the past, was found involved in any other criminal activity; therefore, he has been falsely implicated in the present case.

It is further argued that the petitioner is in custody for more than 07 months period, i.e., since the time of registration of the FIR, i.e., 19.07.2025. The offence for which he has been charged by the learned trial Court vide order dated 24.02.2026 is only under Section 25(1B)(a) of the Arms Act, 1959. The said offence is punishable with imprisonment for a maximum period of 05 years, whereas the petitioner has already remained in custody for about 07 months and 16 days.



Additionally, learned counsel submits that although nothing is mentioned in the status report, yet as per his instructions, the petitioner is involved in one other case under the Excise Act.

5. On the other hand, learned State counsel vehemently opposes the prayer for bail; however, he has failed to controvert the factual assertions as discussed and noted here-above in the foregoing paragraphs.

6. Heard.

7. Though learned State counsel has filed a fresh status report, nothing has been mentioned therein beyond the facts which have already been specified in the petition and pointed out by the counsel for the petitioner.

Further, a copy of the order dated 24.02.2026, vide which the petitioner is charged, has been produced in Court and the same is taken on record. Said order, specifically mentions about the charges framed against petitioner, only for committing an offence punishable under Section 25(1B)(a) of the Arms Act, 1959. Neither any other allegation is levelled against him nor he has been charge-sheeted with.

Besides, it is also noticed that the alleged offence is triable by the Court of the learned Magistrate only, and conclusion of the trial is likely to take a considerable period.

8. In view of the totality of circumstances and without expressing any opinion on the merits of the case, this Court deems it appropriate to extend the concession of regular bail to the petitioners.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety



2026:PHHC:034484

2026:PHHC:034484

CRM-M-60428-2025

- 4 -



bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, 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.

11. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 06, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No