



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.24058 of 2024
Reserved on: 09.08.2024
Pronounced on: 30.08.2024

Paramdeep Singh @ Pam ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Mr. Jasjit Singh, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
83	31.10.2023	Mohkampura, District Amritsar	379-B(2), 34 IPC (section 411 IPC added later on)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 439 CrPC, 1973, seeking regular bail.
2. In paragraph 15 of the bail application and the reply dated 07.08.2024, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	119	02.08.2022	Under section 21-B of NDPS Act	Mohkampura, Amritsar
2.	372	11.08.2022	Under sections 186, 353, 337 IPC	Islamabad, Amritsar
3.	12	09.02.2023	Under sections 21, 61, 85 of NDPS Act	Mohkampura, Amritsar
4.	85	3.11.2023	Under Sections 379B, 34 IPC	Mohkampura, Amritsar

3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“FIR No. 83 dated 31.10.2023 (supra) was registered on the basis of the statement of the Complainant Sandeep Verma S/o Ram Lubhaya alleging therein



CRM-M-24058-2024

-2-

that on 30.10.2023 at about 3PM, he by riding on his motorcycle TVS Star City No. PB89-5942 was going from Mohkamura towards Sun City Park. He parked his motorcycle on the road and headed towards fields then two Sikh youngsters and one haircut youngster came near him. The Sikh youngster scared him with a sickle and asked him to give whatever he had. The complainant got scared and gave his mobile phone Realme 3Prom, colour blue to them and the above said persons pulled ear rings from his ear, due to which the ear of the complainant got injured. The above said persons also took key of the motorcycle from the complainant and they fled away along with the complainant's motorcycle He can recognize these persons, if they come before him."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the reply, and explicitly to the following portions, which read as follows:

"THE ROLE OF THE PETITIONER

11. That it is submitted that on the basis of investigation carried out in the present case FIR No. 83/2023 (supra), it has been revealed that at the time of commission of crime, the present petitioner Paramdeep Singh @ Pamma was having a sickle, with which he had scared the complainant and he along with co-accused Akashdeep Singh @ Dhad and Chelu snatched motorcycle TVS Star, gold ear rings and mobil phone from the complainant Sandeep Verma.

THE EVIDENCE AGAINST THE PETITIONER

12. That it is submitted that during the course of investigation of the present case FIR No. 83/2023 (supra), (1) the snatched motorcycle TVS Star bearing No. PB89-5942 was recovered from conscious possession of the petitioner Parandeep Singh @ Pamma, (2) the identification of the present petitioner Paramdeep Singh @ Pamma was made by the Complainant Sandeep Verma and (3) the accused Akashdeep Singh @ Dhad also made disclosure statement with regard to having committed crime in the present case FIR No. 83/2023 (supra) along with the present petitioner Paramdeep Singh @ Pamma and co-accused Chelu."

6. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, per the petitioner's counsel, the petitioner has been in custody since 2-11-2023. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

7. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.



CRM-M-24058-2024

-3-

8. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

9. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

10. This order is subject to the petitioner’s complying with the following terms.
11. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.
12. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
13. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.
14. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

30.08.2024
Sonia Puri

Whether speaking/reasoned: Yes
Whether reportable: No.