



**CRM-M-33299-2023 (O&M) and another connected case**

-1-

216 – 2 cases

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

**Date of Decision:- 21.11.2024**

**(1)**

**CRM-M-33299-2023 (O&M)**

**Abay**

...Petitioner

Versus

**State of Punjab**

...Respondent

**(2)**

**CRM-M-42168-2023**

**Anmoljit Singh**

...Petitioner

Versus

**State of Punjab**

...Respondent

**CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. Nakul Sharma, Advocate  
for the petitioner in CRM-M-33299-2023.

Mr. Sanjeev Sharma, Advocate  
for the petitioner in CRM-M-42168-2023.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

**AMARJOT BHATTI, J.**

1. Both petitions, CRM-M-33299-2023 and CRM-M-42168-2023 as referred above arising out of common FIR are taken up together with consent of learned counsel for parties.

**CRM-M-33299-2023 (O&M) and another connected case**

-2-

2. Petitioners – Abay and Anmoljit Singh have filed separate petitions under Section 439 Cr.P.C. for grant of regular bail in FIR No. 13 dated 28.01.2023 (P-1), under Section 307/379-B/326/324/323/511/34 of IPC, registered at Police Station Cantt. Ferozepur, District Ferozepur.

3. As per the facts of case, Gurpreet Kaur complainant stated that she was working as Clerk in HDFC Bank, village Gohlewala, District Faridkot. On 25.01.2023, after her bank duty, she returned Ferozepur in the car of Bank Manager Ashish Gupta and alighted near Manohar Lal School, Ferozepur. She was going to her house at Ghumiyar Mandi at about 06:30 PM and when she reached in front of the house of Chadha Tyre Wala, two unknown persons, clean shaven, came on a motorcycle and tried to snatch her purse. She retaliated and did not leave her purse. On this, one person gave kappa blow towards her head with intention to kill and she raised her left hand, as a result, iron kappa blow hit on her left hand fingers and she was badly injured. She fell down on ground. Said unknown person gave another kappa blow which hit on the right side of her head and another person also gave kappa blow which hit on the left side of her head. On the alarm raised by her, her father Jaspal Singh rushed to the spot. He saw the occurrence with his own eyes. Said unknown persons fled away from the spot on their motorcycle. She was taken to Mission Hospital, Ferozepur for treatment and after First Aid, she was taken to DMC, Ludhiana where she was under treatment.

**CRM-M-33299-2023 (O&M) and another connected case**

-3-

4. Learned counsel for petitioners argued that both petitioners are falsely implicated in this case. They were arrested in another FIR No. 23 dated 28.01.2023, under Section 21/61/85 of NDPS Act, registered at Police Station Sadar Ferozepur and they were nominated in present case. Both petitioners are behind the bars. Petitioner Abay was arrested on 02.02.2023, whereas, petitioner Anmoljeet Singh is behind the bars since 28.01.2023. Trial is going on. Statements of material witnesses have been recorded. It is pointed out that Gurpreet Kaur PW-1 has not identified accused. Copy of her statement annexed in CRM-M-42168-2023 is Annexure A-1. Statement of Jaspal Singh eye witness PW-2 has also been recorded. Copy of his statement annexed in CRM-M-42168-2023 is Annexure A-2. Trial of this case may take long time. They are ready to abide by terms of bail order. Therefore, their regular bail petitions may be allowed.

5. Bail petitions are opposed by learned counsel representing State. In detailed status report, facts of the case are confirmed. It is pointed out that both petitioners were nominated as accused in this FIR while they were arrested in another FIR No. 23 dated 28.01.2023 (supra). Alleged motorcycle used in occurrence was also recovered. On completion of investigation, challan was presented on 04.04.2023. After framing of charge-sheet, 7 witnesses have been examined, 6 witnesses were given up and only 4 witnesses are left to be examined. Considering the gravity of offence, petitioners are not entitled to be released on regular bail.

**CRM-M-33299-2023 (O&M) and another connected case**

-4-

6. I have considered the arguments and have gone through the record carefully. Complainant Gurpreet Kaur was attacked by two unknown persons, who in order to snatch her purse caused serious injuries on her person with kappa. Present petitioners were nominated while they were arrested in another case registered under NDPS Act, referred above. After completion of investigation, challan was presented on 04.04.2023 and after framing of charge-sheet, case is fixed for prosecution evidence. Till date 7 prosecution witnesses have been examined. Learned counsel for petitioner Anmoljit Singh has placed on record statement of Gurpreet Kaur recorded as PW-1 and statement of complainant's father Jaspal Singh recorded as PW-2, which are Annexures A-1 and A-2 respectively.

7. I have gone through the statements of both witnesses. Occurrence is not disputed by both witnesses. Gurpreet Kaur PW-1 did not identify accused facing trial in this case, whereas, Jaspal Singh PW-2 supported prosecution case. Statement of this witness indicates that there was CCTV footage available regarding the occurrence. So far as statements of witnesses and evidence available on record will be considered by trial Court at appropriate stage. Considering the manner in which offence has been committed and its gravity, I do not find a fit case for grant of regular bail to both petitioners and their respective bail petitions are accordingly dismissed.



**CRM-M-33299-2023 (O&M) and another connected case**

-5-

8.           Considering the fact that petitioners are behind the bars since the year 2023, direction is given to learned trial Court to expedite the trial.
9.           Pending miscellaneous application(s), if any, in both cases, stand disposed of accordingly as well.

21.11.2024  
*lalit*

**(AMARJOT BHATTI)**  
**JUDGE**

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