



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

CRM-M No.37410 of 2024
Date of decision: 5th August, 2024

Jarmanjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.63 dated 16.11.2023 under Sections 307, 342, 382, 323, 506, 148, 149 of the IPC and sections 25, 54, 59 of the Arms Act, 1959 (Section 325 IPC added later on) registered at Police Station Airport, Amritsar.

2. Learned senior counsel asserts that the petitioner has been falsely implicated in the present case and that the narrative presented in the FIR in question (Annexure P-1), is totally fabricated. It has been argued by the learned senior counsel that it was the complainant party who intruded into his premises and assaulted his son, Ekam Randhawa, leading to an altercation. Furthermore, it has been argued that there are no injuries on the person of the complainant that would warrant charges under Section 325 of the IPC, as all injuries sustained by the



complainant were simple in nature. In support, attention of this Court has been drawn to Annexures P-4 and P-5.

3. In addition, it has been contended by the learned senior counsel that since no recovery is required to be affected from the petitioner, his custodial interrogation would not be needed and hence, he be extended the concession of anticipatory bail.

4. I have heard learned counsel and perused the relevant material on record.

5. It would be apposite to reproduce the contents of the FIR in question, which has been annexed as Annexure P-1.

“Statement of Vikram Khullar S/O Awan Kumar Khullar R/O Village Cheema Kalan Police Station Sarai District Taran Tarn now 116 Green Field Avenue Majitha Road, Amritsar. Stated that I am resident of above said address. I have studied upto 10+2 standard. I am pursuing study of B.Com Ist Year from Baba Budha Sahib (Bir Sahib). Ekam Randhawa is the son of owner of Ekam Dhaba, Near Airport, Ajnala Road, Amritsar. He was junior to me in Spring Dale School. Three days back, Ekam Randhawa made phone to me from his mobile no. 7719777711 at my mobile no. 8759400006. He has given abuses to me and said that he will see me. I said to Ekam that I do not have any dealing with you. If you want to hold any talk, then to do it with my family members. But he continuously given abuses to me. He has caused harassment to me and has given threats while on phone



*call. However, I stopped attending the phone calls of his mobile no.7719777711. But he continuously made phone call to me. Today on dated 15.11.2023, I was present at my house. I have received call at my mobile no. 8759400006 from mobile no. 9878397797 of some unknown person. When, I have attended the phone call, the person speaking from other side was Ekam Randhawa. He said that you have no need to worry. You may come at Ekam Dhaba and he has to hold some urgent talk with me. Then he handed over the phone to other person. He said that his father of Ekam Randhawa and said to me to visit him because they have to hold some urgent talk. Because of the good attitude shown by both father son duo, I have believed them. Then I alongwith my friend Rachit Sharma son of Sudhir Sharma resident of 530/630, Namak Mandi, Amritsar reached at Ekam Dhaba on my white color Honda City Car No. PB02ED0600. It will be around 11:30 AM, Ekam Randhawa armed with baseball, **Jarmanjit Singh @ Jimmy** armed with pistol, Vikramjit Singh armed with hockey alongwith 10/12 other unidentified persons, whom I can identify while they will present before me. They were also armed with baseball, daangs and hockey. They at once came and at the instigation of Ekam Randhawa, **Jarmanjit Singh @ Jimmy** raised Lalkara that; to nab Vikram Khullar and teach him lesson to have tussle with our son Ekam. Then all the persons came toward us. I made request to them that I came here at the asking of his father to hold talk. But nobody heard us. Vikramjit Singh came and pushed me and threw me down. Then he given blow of his hockey*



*at my legs while I was fallen. The same was hit at the calf muscles of my both legs. Then in my presence Ekam blow of his baseball at my friend Rachit Sharma. However, he raised his left arm to same him. But the blow was hit at the elbow of his left arm. Then all of them started giving beatings to me with their weapons. Out of them, **Jarmanjit Singh @ Jimmy**, who seems to be a person of matured age, I said to him that uncle please don't do it. If you want to hold talk, then to hold the same with us. Then **Jarmanjit Singh** came near me and put his pistol at my ear and caught my friend Rachit with the help of other persons and have taken both of us in a room of Ekam Dhaba at gun point. There **Jarmanjit Singh** snatched the gold chain worn around my neck and Ekam took out purse from my pocket and Vikramjit Singh asked his accomplices to give beatings to us. Then everyone started giving beatings to us. While receiving beatings, I fell down unconscious. Thereafter, I alongwith my friend Rachit Sharma who is under treatment in Ranjit Hospital. Ekam Randhawa, Vikramjit Singh @ Vikram and **Jarmanjit Singh @ Jimmy** and 10/12 unidentified persons armed with different weapons deceitfully called me and my friend Rachit to Ekam Dhaba and have given beatings to us with intention to kill us, inflicted injuries to us and snatched my gold chain, gold ring worn in my hand as well as my purse at gun point. Action may kindly be taken.”*

6. Prima facie, there are serious allegations levelled against the petitioner and the co-accused. The petitioner allegedly brandished a



pistol and thereafter, robbed the complainant of his gold chain at gunpoint, while also inciting his co-accused to inflict injuries on the complainant. In the occurrence in question, the complainant allegedly sustained six injuries, and a friend of the complainant Rachit Sharma suffered eight injuries. The incident, prima facie, appears to be a meticulously planned crime, with all accused including the petitioner arriving at the scene armed with deadly weapons including firearms. The petitioner has been explicitly named in the FIR in question, which was filed promptly, thereby eliminating any chances of embellishment.

7. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner in the instant case. The petition, as such, stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

August 5, 2024
rps

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