



CRM-M-1038-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1038-2025
Decided on: January 16, 2025

Abhiraj Singh
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Aakash Singla, Advocate, and
Mr. Gurinder Singla, Advocate,
for Mr. Ankush Singla, Advocate,
for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of the BNSS, 2023, 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 hereunder:-

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Abhiraj Singh s/o Jasvir Singh	137	28.09.2024	304, 111, 3(5), 317(2) BNS, 2023	City, Sunam	Sangrur

2. Learned counsel for the petitioner argues that the petitioner has been involved in a false case because in the first part of the FIR, complainant – Naveen Garg stated that three men snatched a four tola silver chain from his neck and immediately fled on their motorcycle. At



the time of incident, complainant failed to identify or name the accused persons. In the first part of the FIR, complainant also stated that he continued to inquire about the accused and later discovered that three individuals are Danish Khan, Abhiraj Singh (petitioner) and Sandeep Singh @ Sippy. It is not disclosed that they have been residents of nearby place and on what basis the complainant acquired knowledge about the names and particulars of the alleged accused persons.

Further submits that the alleged silver chain has already been recovered from co-accused Danish Khan, and further custody of the petitioner would not be of any use for the prosecution. He also undertakes not to get involved in any other similar activity and to appear on each and every date as fixed by the Court(s) from time to time and that the proceedings will not be put at halt or delayed because of his conduct. Thus, prays for grant of bail.

3. On the other hand, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that the petitioner is member of a gang who commit organised crimes, which are triable by the Court of Session. In fact, such crimes are against society because due to the illegal activities of persons like the petitioner, peace and harmony of the society in general gets disturbed. Learned State counsel also points out that in one more FIR, petitioner is involved, and, therefore, he does not deserve for any concession of bail.

4. In response to the argument of learned State counsel as regards involvement of the petitioner in some other criminal case, learned counsel for the petitioner argues that this fact probalilise more of false



implication of the petitioner because names and particulars were already there in the knowledge of the police. Therefore, the particulars of alleged accused persons appearing in the FIR at the instance of the complainant, is nothing else but a concocted story framed by the police just to enrope the petitioner in the present case.

5. Considering all the aspects and the circumstances, recording of the submissions addressed by learned counsel for the parties, and without making any comments over the standard of evidence available with the prosecution at this stage, and the fact that as per the learned State counsel final report (challan) has already been submitted, I do not find any substantial reason to curtail the liberty of the petitioner for indefinite period. Resultantly, I deem it appropriate to grant the concession of bail to the petitioner.

6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

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

8. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.



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9. It is further made clear that if in future petitioner is found indulged in similar kind of activities, the present bail order would automatically deemed to be cancelled.
10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 16, 2025
P Kapoor

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**