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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.13779 of 2025
Date of Decision: 19.05.2025

Jagmeet Singh @ Jaggi ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nitin Narula, Advocate,
for the petitioner.

Ms. Himani Arora, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
181	01.09.2017	Beas, District Amritsar Rural	307, 224, 225, 353, 186, 148, 149 and 120-B of IPC and 25 of Arms, Act, 1959

2. Brief facts relevant for the purpose of disposal of this petition are that on 01.09.2017, the accused Shubam who was confined in Central Jail, Kapurthala was being taken to Amritsar to attend hearing of a case pending before the Court of Additional Sessions Judge, Amritsar. The complainant Sajjan Singh along with other officials were taking him

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along with them while travelling in a PRTC bus destined for Amritsar. At about 11:45 AM, when the bus reached at Village Rayya Bus Stop, two Swift cars reached there. Eight-ten persons alighted from the cars and entered inside the bus. They started quarreling with the police officials and started getting Shubam released from their custody. When they were tried to be stopped, they opened fire with pistols which they were having with them. One of the bullet so fired hit right hand of ASI Sukhjinder Singh. Those persons while getting Shubam released from custody managed to escape. FIR was registered on the statement of HC Sajjan Singh. Investigation proceedings were initiated. During investigation, the presence of accused Shubam who had been apprehended and was lodged in Central Jail, Amritsar was sought by way of issuance of production warrants. He was formally arrested in the case. On interrogation, he suffered disclosure statement to the effect that he had sent his photograph to a gangster namely, Jaggu Bhagwanpuria who had sent the petitioner and co-accused for getting him released from the custody on the fateful day. He disclosed names of all the accused who had got him released and on the basis of the same, the petitioner was nominated as such. He was arrested on 23.04.2024. The co-accused were also arrested. The investigation stands concluded and the petitioner is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 23.04.2024. He was not named in the FIR and has been implicated on the basis of disclosure statement of co-accused Shubam which cannot be considered to be

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admissible in evidence. There are general and vague allegations against him. No specific overt act has been attributed to him. His involvement in other cases cannot be considered to be a ground for denying benefit of bail to him. He has been discharged in some of those cases. The trial is likely to take considerable time to conclude. Accordingly, it is urged that he deserves to be released on bail.

4. Status report has been filed. Learned Assistant Advocate General, Punjab has argued that the petitioner is a habitual offender since many FIRs most of which are containing allegations of attempt to murder, dacoity/robbery or snatching have been registered against him. There are chances of his absconding or intimidating the witnesses or committing similar offences if extended benefit of bail. Accordingly, it is stressed that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner by forming membership of an unlawful assembly with the co-accused and by hatching a conspiracy with them is alleged to have entered inside a bus in which the co-accused Shubam was being taken in police custody towards Amritsar Courts and is alleged to have not only got him released from custody of the police officials but is also alleged to have caused a firearm injury to one of the police officials namely, ASI Sukhjinder Singh. The said injury which was sustained by him on his leg was obviously dangerous to life. A perusal of the custody certificate reveals that the petitioner has been involved in many other cases most of which are of serious nature. As such, the apprehension expressed by the respondent

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that he may commit similar offences or may abscond cannot be stated to be unfounded at this stage. Ten Out of fifteen prosecution witnesses stand examined and trial is being conducted at proper pace. Keeping in view the antecedents of the petitioner, the nature of the allegations levelled against him and the above discussed facts but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petitioner does not deserve to be given concession of bail. Accordingly, the petition is dismissed.

19.05.2025
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(MANISHA BATRA)
JUDGE

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