

2025:PHHC:105346

**204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-16963-2025
Date of Decision: 13.08.2025**

Sayaam alias Sanjam Mathi

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**Present:** Mr. Rishu Mahajan, Advocate
for the petitioner.

Ms. Simran Gorla, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Petitioner has approached this Court by way of present second petition praying for granting regular bail in case FIR No.267 dated 13.10.2023 under Sections 307/387 of IPC, 1860 and Sections 25/27 of the Arms Act, 1959 registered at Police Station Jandiala, District Amritsar.

2. Succinctly, facts of the case are that the FIR has been lodged on the basis of the statement of the complainant Prince Kalra. It was alleged that on 22.09.2023, when he was present at his shop at around 02:30 PM, he received a WhatsApp call from an unidentified person, who told him that he was talking from Canada. However, he disconnected the phone as the person was unidentified to him and thereafter on 26.09.2023 again, he received WhatsApp call from the same unidentified number. The caller asked him to give a ransom of Rs.1,00,00,000/- (Rupees One crore), failing which he would be eliminated. On 13.10.2023 at about 02:20 AM, he heard the sound of bullet fires and thereafter, he received WhatsApp call wherein the unidentified person

threatened him that bullets have been fired only to warn him that if he fails to pay the ransom, then he would be eliminated next time. He checked the CCTV footage of his house and saw two persons, who had fired outside his house. Request was made to take legal action against the culprits. On registration of the FIR, the investigation was commenced. During the investigation, complicity of the petitioner namely Sayaam @ Sanjam Mathi surfaced and he was arrested on 24.11.2023. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 07.02.2024. Thereafter, he approached this Court by way of filing CRM-M-12256-2024 but the same was dismissed as withdrawn on 23.01.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present 2nd petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that the petitioner has been arrayed as an accused only on the basis of the presumption and assumption. To buttress his arguments, he submits that complainant in the present case has been examined before the trial Court, however, he has not supported the case of the prosecution and has been declared hostile. He submits that the petitioner is behind bars since 24.11.2023. He further submits that the petitioner has been falsely involved in other three cases, however, he is on bail. He, thus, submits that in the facts and circumstances of the present case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions

made by counsel for the petitioner. She submits that the complicity of the petitioner has been duly established during the investigation. She submits that petitioner is involved in other three cases. She further submits that no recovery has been effected from the petitioner as fire arm used in the crime has been procured from the co-accused. She submits that out of total 15 prosecution witnesses, 03 witnesses have been examined. She has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner has been arrayed as an accused in the present case during the investigation. Recovery of fire arms has been recovered from the co-accused. The complainant-victim has been examined, who has not supported the case of the prosecution. The custody certificate would reflect that the petitioner has suffered incarceration of 01 year, 08 months & 16 days as on 12.08.2025. It further reflects that the petitioner is involved in three other cases, however, in two cases he is on bail but in third case, he is not on bail. Out of total 15 prosecution witnesses, 03 witnesses have been examined.

6. The veracity of the allegations and counter allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the

satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

13.08.2025
Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

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