



CRM-M-20929-2022

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223+224+225**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(1) CRM-M-20929-2024****Date of Decision: 23.01.2025**

Satbir Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

(2) CRM-M-27405-2024

Surinder Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

(3) CRM-M-27924-2024

Baljit Kaur

..... Petitioner

Versus

State of Punjab

.....Respondent

(4) CRM-M-30190-2024

Daljit Kaur

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Umesh Aggarwal, Advocate, for
the petitioner in CRM-M-20929-2024.

Mr. R.S. Sekhon, Advocate, for
the petitioner in CRM-M-27405-2024.

Mr. Harmanpreet Singh, Advocate for
the petitioners in CRM-M-27924-2024 and
CRM-M-30190-2024.

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (Oral)

1. This common order will dispose of above-mentioned four
petitions as these have arisen out of same FIR.

2. Petitioners have approached this Court by way of present



petitions praying for granting them regular bail in case FIR No.34 dated 16.02.2024 under Sections 224/225 IPC, registered at Police Station Jandiala, Amritsar.

3. Succinctly, facts of the case are that the FIR was registered on the statement of SI RC Solanki. It was alleged that on 14.02.2024, he alongwith other officials brought Jobanjit Singh son of late Balwinder Singh from Gujarat to produce him before the Court at Amritsar. On 15.02.2024, they reached at Amritsar at 8:00 p.m. and got him lodged in Jail, Amritsar and on 16.02.2024, accused Jobanjit Singh was taken from Jail Amritsar to present before the Court Amritsar. Thereafter, they left for Gujarat and on the way they stopped at Naj Dhaba Bandala GT road for having lunch. They opened the handcuffs of Jobanjit Singh. However, in the meantime, Surinder Singh, Satbir Singh, Daljit Kaur and Baljit Kaur (petitioners) came there and got involved them in their talks. Taking the benefit Jobanjit Singh escaped from the custody. Request was made to take legal action against the culprits. On the registration of the FIR, the investigation commenced. Accused Satbir Singh and Baljit Kaur were arrested on 17.02.2024 and accused Surinder Singh and Daljit Kaur were arrested on 19.02.2024. They approached the Court of learned Additional Sessions Judge, Amritsar for grant of bail, however, after hearing both the sides, learned Court declined the bail petitions filed by Satbir Singh on 02.04.2024, Suirnder Singh on 13.05.2024, Baljit Kaur on 13.03.2024 and bail petition filed by Daljit Kaur was dismissed on 05.06.2024. Hence, the petitioners have approached this Court by way of filing the present petitions praying for grant of bail.

4. Learned counsel for the petitioners have submitted that the



petitioners are behind bars from the last about one year. It is submitted that there is no allegation against the petitioners regarding using any force against the complainants. They are not alleged to be armed with any weapon as well. However, they have been named in the FIR only on the basis of presumptions and assumptions. It is submitted that as the accused in the custody escaped, then only to save their skin, the present petitioners have been roped in the present FIR by the Police officials. They have further submitted that there is no progress in the trial. They, thus, submits that in the overall facts and circumstances, the petitioners deserve to be granted bail.

5. Per contra, learned State counsel has vehemently opposed the submissions made by counsel for the petitioners. He submits that the petitioner are habitual offenders as Satbir Singh and Surinder Singh are involved in other two cases. He submits that out of 08 prosecution witnesses, only 01 witness is examined till date.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the allegations against the petitioners are that it is because of their involvement, accused Jobanjit Singh escaped from the custody of the police officials. As submitted before this Court, Jobanjit Singh who escaped, was lateron arrested. The petitioners are behind bars from the last about one year. Though accused Satbir Singh and Surinder Singh are involved in two other cases, however, they are on bail in the same. Out of 08 prosecution witnesses, 01 witness has been examined. As submitted by learned counsel for the petitioners, the prosecution intentionally is not producing the prosecution witnesses, who are public servant.

6. The veracity of the 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 petitioners succeed in making out a case for grant of regular bail to the petitioners.
8. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.
9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

23.01.2025

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No