



CRM-M-22706-2024 & 1
CRM-53761-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Decided on: January 23, 2025

1.

CRM-M-22706-2024

Harmanpreet Singh @ Hammy

.....Petitioner

Versus

State of Punjab

.....Respondent
2.

CRM-M-53761-2024

Lovepreet Singh @ Gagan Dhillon

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amaninder Singh Sekhon, Advocate,
Mr. Diljinder Singh Sekhon, Advocate, and
Mr. Himanshu Rajput, Advocate,
for the petitioner (in CRM-M-22706-2024).

Mr. Kanwaljeet Singh Brar, Advocate,
for the petitioner (in CRM-M-53761-2024)

Mr. Amandeep Singh, DAG, Punjab,
assisted by ASI Harinderjeet Singh.

SANJAY VASHISTH, J.

1.

This common order shall disposed of CRM-M-22706-2024
and CRM-M-53761-2024, because both the petitions have arisen out of
same incident and FIR.

CRM-M-22706-2024, has been filed by petitioner –
Harmanpreet Singh @ Hammy, under Section 439 Cr.P.C., whereas
CRM-M-53761-2024 has been preferred by petitioner – Lovepreet Singh



@ Gagan Dhillon, under Section 483 of BNSS, 2023. However, prayer in both the petitions is for grant of regular bail to the petitioner(s), during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

FIR No.	Date	Section(s)	Police Station	District
21	27.10.2023	Ss. 384, 506 & 120-B IPC, and Ss. 25, 25(7) of the Arms Act, 1959 [Ss. 212 & 216 IPC were added lateron vide Special Report dated 03.11.2023]	Special State Operation Cell (SSOC), SAS Nagar (Mohali)	SAS Nagar (Mohali)

2. The story built up by the prosecution in the FIR is reproduced hereunder:-

“Copy of Ruqa “SHO” Police Station S.S.O.C., Mohali, Jai Hind. Today I, SI was present in the police station then at about 12.20 PM secrete informer came there and separately gave me an information that Jahar Singh alias Prince Chohan son of Ranvir Singh Resident of H. No. 108, Khudda Lohra, Chandigarh permanent resident of Village Sodal, District Roopnagar now Resident of Canada, who is main kingpin of Davinder Bambiha Group who is operating this group from abroad and used to extort money from the rich people by threatening them. From India Harmanpreet Singh alias Hammy son of Baldev Singh Resident of Mai Godri Sahib Mohalla, Faridkot and Lovepreet Singh alias Gagna Dhillon son of Major Singh Resident of Tal Wali Gali, Hukki Wala Chowk, District Faridkot and other unknown companions are helping him in these illegal activities. Prince Chohan had sent illegal ammunitions in huge quantity to them. They are members of Criminal Gaang Davinder Bambhia Gang. The information is believable and reliable, the act of above said unknown persons is attracted to fulfill the ingredients of offence U/s 384/506/120B of IPC and 25, 25(7) of Arms Act 1959. Upon which the ruqa is being sent through HC/LR Avinash Singh 2675/INT to Police Station for registration of case under the above said offences against Jahar Singh alias Prince Chohan son of Ranvir Singh Resident of H. No. 108, Khudda Lohra, Chandigarh permanent resident of Village



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Sodal, District Roopnagar now Resident of Canada, Harmanpreet Singh alias Hammy son of Baldev Singh Resident of Mai Godri Sahib Mohalla, Faridkot and Lovepreet Singh alias Gagna Dhillon son of Major Singh Resident of Tal Wali Gali, Hukki Wala Chowk, District Faridkot and other unknown companions After registration of FIR the number should be informed.”

3. The names of the petitioner(s) in both the cases are mentioned in the FIR, but nothing comes out that on account of doing of what illegal activity the present case has been registered because there is nothing mentioned that who has been victimised on account of extortion. The base of the registration of FIR is only receipt of secret information that the petitioners herein are members of Davinder Bambiha group, who operates from abroad and the petitioners are in habit to extort money from the rich people by threatening them.

4. During the course of hearing, on being asked by the Court, learned State counsel even after seeking instructions from the investigating officer, namely, ASI Harinderjeet Singh, who is present in the Court, could not refer or cite any substantive piece of evidence collected by the police by recording statement of any such victim.

5. Learned counsel for the petitioner(s) also submit that both the petitioners were made accused in one other case FIR No. 151, dated 13.10.2023, under Sections 387 and 506 IPC, registered at Police Station Doraha, District Khanna. However, petitioner – Lovepreet Singh @ Gagan Dhillon has already been discharged in the said case, and as per custody certificate dated 22.01.2025, petitioner – Harmanpreet Singh @ Hammy is on bail since 15.04.2024 in the said FIR. No other criminal



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case is ever registered against petitioner – Lovepreet Singh @ Gagan Dhillon.

Qua petitioner – Harmanpreet Singh @ Hammy, learned State counsel discloses that as per custody certificate apart from FIR No. 21, dated 27.10.2023, and FIR No. 151, dated 13.10.2023, two more cases, i.e.:

- (1) FIR No. 247, dated 07.11.2017, under Sections 325, 324, 323, 427, 506, 148 & 149 IPC, Police Station: City, Faridkot; and
- (2) FIR No. 234, dated 04.08.2021, under Sections 307, 326, 325, 324, 148, 149 & 120-B IPC, Police Station: City, Faridkot,

were also registered against him. However, in case FIR No. 247, dated 07.11.2017, petitioner – Harmanpreet Singh @ Hammy was acquitted on 02.07.2024, and in case FIR No. 234, dated 04.08.2021, he is already on bail since 28.05.2024.

6. Moreover, the common argument addressed by learned counsel for both the petitioners is that bare reading of the present FIR does not make out any offence of extortion.

7. At this juncture, learned State counsel files the status report, dated 22.01.2025, in CRM-M-53761-2024, and custody certificate dated 22.01.2025, in CRM-M-22706-2024, which are taken on record. Learned State counsel submits that actually the petitioners are involved in the activities of extorting money from big people and on the basis of secret information, raid was conducted and thereupon one pistol of .30 bore,



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with magazine containing 5 live cartridges .30 bore, were recovered from the possession of petitioner – Lovepreet Singh @ Gagan Dhillon.

Learned State counsel also points out that on 04.11.2023, one .32 bore pistol and 01 live cartridge, were also recovered from petitioner Harmanpreet Singh @ Hammy. However, learned State counsel does not dispute that the petitioners are inside jail since October/November, 2023 and for proving of the offence, evidence is yet to come.

8. Considering totality of circumstances and getting impressed with the prime submission that neither any victim of extortion has come forward nor even named in the FIR, I am of the considered view that the petitioners cannot be kept behind bars for indefinite period. And, I deem it appropriate to grant the concession of bail to the petitioners.

9. Consequently, prayer made in these two petitions is **allowed**. Petitioner – Harmanpreet Singh @ Hammy (in CRM-M-22706-2024) and petitioner – Lovepreet Singh @ Gagan Dhillon (in CRM-M-53761-2024) are ordered to be released on bail, subject to furnishing of separate bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, by them, if not required in any other case.

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

11. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is



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expected to decide the case on the basis of complete evidence available on record.

12. However, looking at the apprehension of the prosecution that there are chances that after coming out of jail, both the petitioners may flee, the petitioner(s) – Harmanpreet Singh @ Hammy and Lovepreet Singh @ Gagan Dhillon are directed to report to the concerned police station, once in the last week of every month, till the conclusion of trial in the present case.

It is further made clear that in case any direct evidence with their involvement in any other serious offence is found to be there, the order passed in the present bail petitions would be deemed to be cancelled.

13. Both the petition are disposed of in the above terms.

(SANJAY VASHISTH)
JUDGE

January 23, 2025
Pkapoor

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