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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-30864-2025 (O&M)
Date of Decision: 02.08.2025

AZAM KHAN ALIAS BHOLU

…PETITIONER

VS.

STATE OF PUNJAB

…RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Mohit Kumar, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

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N.S.Shekhawat J. (Oral)

CRM-28726-2025

For the reasons mentioned in the application, the same is allowed, subject to just all exceptions.

Annexure P-4 is taken on record.

Main case

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.06 dated 10.01.2025, registered under Sections 304(2), 351(2), 317(2) of BNS, 2023 and

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Section 21/29/61/85 of NDPS Act, Police Station Amargrh, District Malerkotla.

2. The FIR in the present case was registered on the basis of the statement made by Malkit Singh son of Surjit Singh and the same has been reproduced below:-

> "*Statement of Malkit Singh son of Surjit Singh, resident of village Man Marar Teh: Shadi District Faridkot, aged about 27 years Mobile: 62803-10945 I am a resident of the above-mentioned address and currently employed as a Central Recovery Officer at Seton Credit Care Company. My job involves collecting loan installments from the customers in the villages of Tehsil Malerkotla and Dhuri. On 10-01-2025, I was on my way to collect loan installments totalling 16,915 in cash from 14 members in connection with Seton Credit Care Company loans, traveling from Village Dugni, Tehsil Dhuri, to Villae Mankamajra on my Hero Honda Splendor motorcycle, While traveling from Village Bhaini Kalan to Village Mankamajra, after crossing the bridge of the newly constructed Delhi-Katra highway and proceeding about 100 meters further, I encountered two unknown individuals standing in the middle of the road, each armed with a meat cleaver. Another individual was stationed on the right side of the road with a black Bajaj Platina motorcycle. These unknown persons attacked me, forcibly snatched my bag, and escaped with their accomplice on the motorcycle, taking their weapons with them. The stolen bag contained 16,915 in cash (collected as loan installments on 10-01-2025), my identification card photocopy, and my Lenovo TAB (IMEI No. 863440056693280). These three unknown individuals surrounded me, threatened me, and took my belongings by force. I have personally written this statement, which has been read back to me and is correct to the best of my knowledge. Declarant: Sd/- Malkit Singh".*

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3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case, only on the basis of the suspicion. The FIR was initially registered against unknown persons and even during the course of investigation, the police could not collect any incriminating evidence against the petitioner. He further contends that in the present case one TAB brand LENOVO, I.D. card, cash amount of Rs.2,000/- and 10 grams of heroine were recovered from the petitioner and co-accused. However, the said quantity of contraband was planted on the accused in the present case, just to make the offence graver. He further contends that the petitioner is behind the bars for the last more than 06 months and challan has already been presented against him.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in one more case i.e. FIR No.64 dated 29.05.2019, under Sections 458, 324, 148 & 149 IPC, registered at Police Station Amargarh and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. The petitioner is stated to be in custody since 10.01.2025 and the challan has already been presented against him. Moreover, a similarly placed co-accused Gurpreet Singh @ Guri has been granted the concession of regular bail by this Court on 30.06.2024 in CRM-M-33154-2025 (Annexure P-4). Thus, the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his

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furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

8. All other pending applications, if any, are also disposed off, accordingly.

02.08.2025 **(N.S. SHEKHAWAT)**
vipin **JUDGE**

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

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