

2025:PHHC:098202



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM M-40385-2025

Date of Decision:01.08.2025

Gagandeep Singh @ Jarila ...Petitioner
Versus
State of Punjab ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Gaurav Partap S. Pathania, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.SHEKHAWAT, J.

1. The petitioner has filed the instant petition under Section 483 of the B.N.S.S., 2023 with a prayer to grant regular bail in case FIR No.83 dated 05.06.2025 registered under Sections 303(2) and 317(2) of BNS (Section 11 of BNS added lateron) at Police Station Sujanpur, District Pathankot.

2. The FIR in the present case has been registered on the basis of a *rukka* and the same has been reproduced below:-

“Station House Officer Police Station Sujanpur District Pathankot "Jai Hind" today along with ASI HC Gursimranjit Singh 541/Path, SCT Pritpal Singh 769/Path, CT Sorav Sharma 901/Path, on a government vehicle for patrolling to search for bad men. In connection with bridge number 10, Sauli Bhauli was

going from Sujanpur to Ilampur etc. on the ascending path of the canal from bridge number 10. When the police party reached 30 meters ahead of bridge number 10 while patrolling, a person wearing a black cap was seen coming in front on a motorcycle without a number. Seeing the police party, he suddenly got scared and started turning back along with his motorcycle. The ASI, with the help of his fellow employees, caught him while turning back along with the motorcycle and asked him his name and address. He told his name as Gagandeep Singh alias of Jarila, son Bhajan Singh, resident village Baroi, Police Station Shahpurkandi. ASI inquired about the documents of the motorcycle Hero Splendor, colour black. He told that I do not have any documents of this motorcycle. I had stolen this motorcycle from Gandhi Chowk side, Pathankot, about a month ago. Today, I was going to Jammu and Kashmir to sell it. The ASI took the said unnumbered motorcycle Hero Splendor, color black, into the police custody by taking it to Fard Haja. Gagandeep Singh alias Jarila has committed the crime of 303(2), 317 (2) BNS by keeping a stolen motorcycle in his possession. On which case is being registered and sent to Police Station Sujanpur through CT Sorav Sarma 901/Path, to get it registered and the number of the case should be informed. The control room should be informed by through wireless. I have done videography and photography of the recovery through the app e-Sakshya running on my mobile phone. I ASI and fellow employees are busy investigating the case. SD/ Baldev Singh ASI Police Station Sujanpur Date 05.06.2025.”

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. In fact, no recovery was effected from the petitioner and the police had planted a recovery of the motorcycle. The petitioner was arrested in the present case on 05th June 2025 and is in custody since then. He further submits that the offence in the present case is triable by the Court of Magistrate and the investigation in the present is complete against him.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail. He further submits that one more case of similar nature was registered against the petitioner. However, the petitioner is on bail in the said case.

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

6. In the present case, the petitioner is stated to be in custody for the last about 02 months. Offences in the present case are triable by the Court of Magistrate and the investigation has been completed against him. Thus, no purpose will be served by keeping the petitioner behind the bars.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered

to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

01.08.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No