

CRM-M-60562-2024 #1#

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-60562-2024

Date of Decision:-06.02.2025

Ranjeet Singh @ Ranjit Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Sukhbir Maandi, Advocate for the Petitioner.

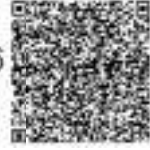
Mr. Harkanwar Jeet Singh, Assistant Advocate General,
Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this third petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.44 dated 08.03.2023 under Sections 307, 392, 342, 34 IPC and Sections 25/27 of Arms Act, 1959 registered at Police Station Beas, District Amritsar (Rural).

2. The present FIR came to be registered at the instance of Amit Kumar son of Sh. Rajinder Kumar and the same reads as under:-

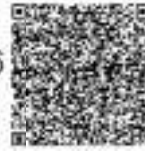
“ Statement of Amit Kumar S/o Rajinder Kumar caste Soniara (goldsmith) R/o Shant Nagar, Dimpey wali gali, Peruman road Rayya aged about 38 year mob. 98769-68025. Stated that I am resident of above mentioned address and having gold jewellery shop namely Deepak Jewellers situated on Pheruman Chownk Rayya. Today I was working on my shop with my partner Sonu Bagga S/o Satpal Bagga R/o Amritsar. At about 12:00 pm four youngsters came on activa and motorcycle and stopped outside my shop who had covered their face with cloth. One of amongst them, stood



outside my shop and three came inside the shop and two of them were having pistol and one was having sword (kirch) and ordered me that whatever you have and in your shop give to me otherwise we will shoot you and they forced me and my partner Sonu Bagga to be locked in cabin built in the shop and they start looting gold and silver jewellery and other valuable articles by putting in their bags. They hurriedly started searching the shop and started to put some articles in their pockets. I was having my licensed revolver and in my self-defence I fired some bullets and in return armed youngster fired on us with an intention of killing us and then we shouted loudly Maar Ditta Maar Ditta. Then my Uncle Surinder Kumar S/o Prem Swaroop R/o Shant Nagar, Rayya whose shop namely Prem Jeweller was near to my shop came to the spot and those youngsters while firing went outside the shop and their 4th partner sitting on activa and they all try to escape on the activa and motorcycle and we chased them. One of them pushed my Uncle and he fell down and injured his right arm. Then he started fighting with me. He hit me with butt of the pistol in his hand with that my left eyebrow and eyes got injured. We managed to apprehend him and he told his name as Gurmeet Singh S/o Hardeep Singh R/o Jallapur Kheda. Upon firing by me in my self-defence, Gurmeet Singh received injuries and he told us the names of the other partners who escaped as Karan S/o Hardeep Singh R/o Bhinder, Ranjit Singh S/o lovejeet Singh @ Labbu R/o Jallapur Kheda and Shera R/o Jallapur Kheda. The Escaped youngsters took gold jewellery and some money, the details of which I will tell you later on. The apprehended youngster by us has been handed over to you and A legal action should be taken. Amit Kumar SD/- Amit Kumar.”

3. Gurmeet Singh was apprehended at the spot and disclosed the names of his co-accused Karan, Ranjit Singh (petitioner) & Shera.

Shamsher Singh @ Shera and Ranjit Singh were arrested on 10.03.2023. They suffered their disclosure statement admitting to have committed the offence in question along with the petitioner. A kirch used Shamsher Singh @ Shera and pistol used by Ranjit Singh were recovered at their instance. One Karanbir Singh was declared innocent.

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4. The counsel for the petitioner contends that during the course of the Trial Amit Kumar, complainant and his uncle Surinder Kumar had been examined as PW-1 & PW-2 and had not supported the case of the prosecution. 02 more Pws have not supported the prosecution case. Therefore, the petitioner was entitled to the concession of bail.

5. The Counsel for the State has filed short reply by way of affidavit dated dated 05.02.2025 of Mr. Arun Sharma, PPS, Deputy Superintendent of Police, Sub Division Baba Bakala Sahib, Amritsar (Rural) in the court today, which is taken on record. While referring to the said reply he contends that Gurmeet Singh was apprehended at the spot. He had disclosed the name of his co-accused from whom various recoveries had been effected including the weapon used in the occurrence. The evidentiary value of the statement of PW-1 Amit Kumar and PW-2 Surinder Kumar along with 02 other hostile witnesses shall be adjudicated upon during the course of the Trial. He however points out that the said statements were recorded on 05.01.2024 and the bail applications of the petitioner were argued at length and came to be withdrawn on 15.03.2024 and 18.09.2024. Therefore, the evidence of the said witnesses who had turned hostile had been considered by this court earlier and the petitioner had not been granted the concession of bail. No new change in circumstances had been pointed out entitling the petitioner to the grant of bail.

6. I have heard the learned counsel for the parties.

7. As per the prosecution case the petitioner's name along with other was disclosed by Gurmeet Singh who was apprehended at the spot during the occurrence in question. Recoveries of weapons used in the occurrence have been effected from the accused including the petitioner.

Though the complainant PW-1 Amit Kumar and PW-2 Surinder Kumar have

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turned hostile, the evidentiary value of the said statements and those of other witnesses shall be adjudicated upon during the course of the Trial. Interestingly, the statements are dated 5.1.2024 and the bail applications of the petitioner came to be argued and withdrawn on 15.02.2024 and 18.09.2024 after the material witnesses had turned hostile. Therefore, there are no material change in circumstances entitling the petitioner to the grant of bail.

8. In view of the aforementioned discussion, the present petition seeking grant of regular bail stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

February 06, 2025
Vinay

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