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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.5790 of 2026

Surjeet Singh
..... Petitioner

Versus

State of Punjab
..... Respondent

CRM-M No.20923 of 2026

Kapil Mehrola
..... Petitioner

versus

State of Punjab
..... Respondent

Date of Decision: 08.05.2026

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Kuljinder Singh Billing, Advocate
for the petitioner in CRM-M-5790-2026.

Mr. Shivek Thakur, Advocate
for the petitioner in CRM-M-20923-2026.

Mr. Kuljinder Dhindsa, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. By this order, I dispose of the above mentioned two petitions arising out of the same FIR.
2. Both the petitions have been filed praying for the grant of regular bail to the petitioners in case bearing FIR No.11, dated



08.04.2025, under Sections 310(2), 115(2), 126(2), 190, 311 and 317(2) of BNS, registered at Police Station Division GRP Sirhind, District Government Railway Police, Punjab.

3. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Kah Kin. It was alleged that on 07.04.2025 at about 07:00 P.M., the complainant arrived at Anandpur Sahib by train. It was alleged that the complainant walked from Anandpur Sahib Railway Station towards Gurudwara along Anandpur Sahib Ropar Highway and when he reached at the intersection with Keshgarh Sahib road, he stopped to buy a cigarette besides the train track and then, 02 persons approached him. They asked the complainant to borrow power bank. In the meantime, 10 more persons came on the railway track and started conversation with him. They all grabbed the bags of complainant and gave beatings to him. Then, they ran away by snatching one backpack, one money bag as well as the watch of the complainant. The accused caused injuries to the complainant by pelting stones at him. Thus, the request was made to take legal action against all the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioners, namely, Surjeet Singh (in CRM-M-5790-2026) and Kapil Mehrola (in CRM-M-20923-2026), surfaced and thus, both were arrayed as an accused in the present case. Resultantly, both the petitioners were arrested on 08.04.2025. On completion of the investigation, the challan was presented and on



framing of charges, the trial commenced. The petitioners approached the Court of learned Additional Sessions Judge, Rupnagar praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Rupnagar declined the bail applications filed by both the petitioners vide orders dated 05.12.2025 and 12.01.2026. Hence being aggrieved, the petitioners are before this Court by way of filing the present petitions praying for the grant of regular bail.

4. Learned counsel for the petitioners have contended before this Court that the petitioners have been falsely and frivolously implicated in the present case. They have submitted that the FIR has been lodged by the complainant, namely, Kah Kin and name of the petitioner are not mentioned in the FIR. They have submitted that after lodging of the FIR, the petitioners have been implicated in the present FIR on the basis of presumptions and assumptions. They have submitted that no test identification has been held and thus, false implication of the petitioners is writ large. They have submitted that the complainant belongs to Australia and he is not appearing before the learned trial Court for his examination as presently, he is in Australia. They have submitted that the petitioner, namely, Kapil Mehrola, was falsely involved in 02 other cases, however, he is on bail in both the case, whereas the petitioner, namely, Surjeet Singh, is involved in one more case, however, he is also on bail in that case. They have submitted that the petitioners are behind bars since the date of their arrest, i.e.



08.04.2025 and because of the absence of the complainant, their incarceration is being prolonged without there being any fault on the part of the petitioners. They have submitted that in the facts and circumstances, the petitioners deserve to be granted regular bail.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioners. He has submitted that complicity of the petitioners has been duly surfaced during the investigation. He has submitted that the bag looted from the complainant was recovered during the investigation from the petitioners. He has submitted that in all there are total 08 accused in the present FIR and all are in custody. He has affirmed the fact that the complainant is an Australian citizen and presently, he is in Australia and he is yet to be examined. He, on instructions, has submitted that out of total 16 prosecution witnesses, no witness has been examined so far. He has produced custody certificates of both the petitioners today in the Court, which are taken on record.

6. This Court has heard learned counsel for the parties and perused the record with their able assistance.

7. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioners were not named in the FIR, however, they have been arrayed as an accused in the present case during the investigation. The complainant is said to be Australian citizen and presently, he is in Australia, who has not appeared before the learned trial Court for his examination. Out of total 16 prosecution witnesses, no witness has been examined till date. The petitioners are behind bars since



the date of their arrest, i.e. 08.04.2025. Custody certificates produced would show that the petitioners have suffered an incarceration of 01 year and 23 days as on 08.05.2026. It further reflects that the petitioner, namely, Surjeet Singh is involved in one more case, whereas, the petitioner, namely, Kapil Mehrola is involved in two other cases, however, in one case, he has undergone the sentence.

8. This Court would refrain itself from commenting anything on the merits of the case. The arguments and counter arguments as raised before this Court would be assessed by the learned trial Court on the appreciation of the evidences led by both the sides, however, keeping in view the custody of the petitioners and their antecedents, this Court is inclined to grant bail to the petitioners.

9. 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. 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 counsels for the petitioners succeed in making out a case for grant of regular bail to the petitioners.

10. Accordingly, both the petitions are allowed and all 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.

11. However, if the petitioners do not furnish the bail bonds within seven days from today, then their further custody period after one week will not be counted in this case.
12. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

08.05.2026

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(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No