



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

**CRM-M No.8085 of 2026
Date of decision: 22.05.2026**

Ajay Kumar alias Landi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. Arpan Sabharwal, Advocate
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab
for the respondent-State.

MANDEEP PANNU, J. (Oral)

1. This is a second regular bail petition under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023, for the grant of regular bail to the petitioner in FIR No.87 dated 16.08.2023, initially registered under Sections 323, 307, 379-B IPC (with Section 302 IPC added later on), at Police Station Sadar Nakodar, Tehsil Nakodar, District Jalandhar, Punjab.

2. Briefly stated, the case of the prosecution is that on 15.08.2023 at about 7:00 PM, the complainant along with his wife Kulwinder Kaur was travelling on a motorcycle when, near village Sarakpur, two unknown persons came on another motorcycle from behind. The pillion rider inflicted a blow on the head of the complainant's wife, causing her to fall, and thereafter, one assailant snatched her ear rings while



the other assaulted the complainant. Both the assailants fled from the spot. On the basis of the statement, FIR was initially registered under Sections 323, 307 and 379-B IPC. Subsequently, on 19.08.2023, the injured Kulwinder Kaur succumbed to her injuries, whereupon Section 302 IPC was added.

3. During investigation, on the basis of a supplementary statement made by the complainant, the present petitioner Ajay Kumar @ Landi along with co-accused Sunil Kumar was nominated as an accused. Both the accused were arrested on 19.08.2023, and the motorcycle used in the occurrence as well as the snatched ear rings were recovered.

4. It is contended on behalf of the petitioner that he has been falsely implicated in the present case and was not named in the initial FIR, but has been nominated subsequently on the basis of a supplementary statement recorded after a delay of four days, without disclosing the source of such information. It is further submitted that the petitioner has been in custody since 19.08.2023 and the investigation in the case stands completed, with the challan already presented and charges framed. Learned counsel further submits that as per the prosecution case itself, the fatal injury, i.e the *datar* blow on the head of the deceased has been specifically attributed to the co-accused Sunil Kumar, who was the pillion rider, whereas the present petitioner is alleged to have merely driven the motorcycle, and the allegation of assault upon the complainant is general and omnibus in nature. It is thus argued that in the absence of any material to establish common intention, the offences under Sections 307/302 IPC



are not made out against the petitioner. It is further contended that even otherwise, the only offence that could be said to be attracted against the petitioner is under Section 379-B IPC, and considering that the petitioner has already undergone incarceration for over two years and nine months, continued detention would serve no useful purpose. It is also argued that the alleged confessional statement made by the petitioner during police custody is inadmissible in evidence. Learned counsel further submits that no Test Identification Parade was conducted to establish the identity of the petitioner, and no independent witness was joined at the time of the alleged recovery, thereby casting serious doubt on the prosecution version. It is also pointed out that the only independent witness cited by the prosecution, namely Baljit Singh (PW-3), has turned hostile, thereby weakening the case of the prosecution. It is further contended that the petitioner has clean antecedents, is not involved in any other criminal case, and the trial is likely to take considerable time to conclude. The petitioner undertakes to abide by all conditions imposed by the Court, to join the proceedings as and when required, and not to tamper with the prosecution evidence or influence any witness. It is also submitted that nothing remains to be recovered from the petitioner, and he is ready to furnish adequate bail bonds to the satisfaction of the Court.

5. Learned State counsel has opposed the present bail application on the ground that serious allegations have been levelled against the petitioner. It is submitted that the petitioner, in furtherance of a common intention with co-accused Sunil Kumar, committed the murder of the wife



of the complainant while causing injuries to her during the course of snatching her earrings. It is contended that the petitioner was driving the motorcycle, whereas co-accused Sunil Kumar was the pillion rider, who inflicted the fatal *datar* blow on the head of the deceased, as a result of which she later succumbed to her injuries. It is further argued that although Baljit Singh (PW-3) has reportedly turned hostile, he is not the material witness, and the complainant Gurmail Singh, who is the husband of the deceased and an eye-witness to the occurrence, is yet to be examined.

6. Having considered the rival submissions, this Court finds no merit in the present petition. The allegations against the petitioner are grave and pertain to a heinous offence resulting in the death of an innocent woman during the commission of snatching. The role attributed to the petitioner, though of driving the motorcycle, cannot be viewed in isolation at this stage, as it *prima-facie* indicates his active participation in the occurrence in furtherance of a common intention with the co-accused. The fact that PW-3 has turned hostile would not materially affect the case of the prosecution at this stage, as the star witness in the present case is the complainant Gurmail Singh, who is not only the husband of the deceased but also an eye-witness to the entire occurrence and is yet to be examined.

7. Further, the petitioner has been in custody for about two years and nine months; however, keeping in view the gravity and nature of the allegations and the fact that material witnesses are yet to be examined, no ground is made out for grant of regular bail. At this stage, there is a reasonable apprehension that release of the petitioner may adversely affect



the trial.

8. Accordingly, the present petition is dismissed.
9. However, nothing observed herein shall be construed as an expression on the merits of the case.
10. All pending applications, if any, also stand disposed of.

22.05.2026
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(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No