



CRM-M-52868-2024

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

**CRM-M-52868-2024**

Date of Decision: 22.07.2025

Amandeep Singh @ Gumti

..... Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr.Harjinder Singh, Advocate, for the petitioner.

Ms. Simran Gorla, AAG, Punjab.

**Rajesh Bhardwaj, J. (ORAL)**

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.77 dated 29.07.2023 under Sections 379-B, 506, 34 IPC, registered at Police Station Kathunangal, District Amrisar.

2. As per facts of the case, the FIR in the present case was registered on the statement of the complainant, namely, Jaspal Singh. It was alleged that on 29.07.2023 at about 4:00 p.m., he was going on his motorcycle to his village, then he was waylaid by two boys sitting on the motorcycle. The pillion rider was having a *datar* in his hand. They started fighting with him and the person riding pillion tried to hit him with the *datar*. In the meantime, they snatched his mobile phone and took away the key of motorcycle and he was threatened to be killed. Request was made to take legal action. On the registration of the FIR, the investigation commenced. During the investigation, the petitioner was arrested on 17.02.2024. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of regular bail. However, after



hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 11.09.2024. Hence, the petitioner approached this Court praying for grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that the petitioner was named in the FIR only on the basis of assumption and presumption. He submits that there are two accused in the present case and the co-accused has already been granted bail by learned trial Court. It is submitted that challan has been presented and the charges have been framed, however, till date the prosecution is not able to examine even a single witness and thus, the custody of the petitioner is being prolonged in a clandestine manner. He submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. She submits that the petitioner had played a key role in committing offence. She submits that mobile phone and *datar* used in the offence, have been recovered from the petitioner and one motorcycle, which was stolen in other case, has also been recovered from the petitioner. However, she has endorsed that the co-accused of the petitioner has been granted regular bail by learned trial Court. On instructions, she has submitted that out of total 10 prosecution witnesses, no witness has been recorded till date and the petitioner is involved in one more case.

5. After hearing counsel for the parties and perusing the record, it



is deciphered that the petitioner is behind bars since 17.02.2024. Co-accused of the petitioner, who was riding the motorcycle, has already been granted regular bail by learned trial Court. Out of total 10 prosecution witnesses, no witness has been examined till date.

6. 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. This Court would refrain itself from commenting anything on the merits of the case. 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 counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

**(RAJESH BHARDWAJ)**  
**JUDGE**

**22.07.2025**

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Whether Speaking/Reasoned : Yes/No  
Whether Reportable : Yes/No