

2025:PHHC:065082



244.

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

CRM-M-5923-2025

Date of decision: 15.05.2025

Karanbir Singh @ Karan and another Petitioners

Versus

State of Punjab Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gursimran Singh Madaan, Advocate for the petitioners.

Mr. Amit Rana, Senior DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Fresh *vakalatnamas* on behalf of the petitioners, with No Objection from the earlier counsel, have been filed in Court today, which are taken on record.

1. Prayer in this petition filed under Section 483(1) of BNSS, 2023 read with Section 439 of Cr.P.C. is for grant of regular bail to the petitioners in case FIR No.179, dated 30.10.2024, under Sections 132/221 of BNS, 2023, registered at Police Station Ranjit Avenue, District Amritsar.

2. Learned counsel for the petitioners submits that both petitioners have been in custody since 30.10.2024 for allegedly misbehaving with the police officials while they were holding a *naka* and thereafter, tearing the uniform. Learned counsel has submitted that totally fabricated and false allegations have been levelled against the petitioners, who have no other previous criminal antecedents. It has been submitted that

after the petitioners were arrested, challan was presented on 27.12.2024, followed by framing of charges on 03.02.2025. It has been submitted by the learned counsel that in the aforementioned facts and circumstances since the investigation is complete and all the witnesses in the present case are police officials, in case the petitioners are enlarged on bail, there can be no apprehension of the petitioners influencing/intimidating the prosecution witnesses. Hence, they deserve to be enlarged on bail.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has not disputed, on instructions the custody period of the petitioners nor has he, on instructions, disputed the stage of trial. He submits that 01 out of 14 prosecution witnesses stands examined. However, learned State counsel has reiterated the allegations levelled in the FIR which stands reproduced hereinunder:-

"The complainant Jasbir Singh son of Sardar Baldev Singh resident of village Aliwal Jattan Police Station Ghadie Ke Bangar Tehsil Batala District, Gurdaspur aged about 30 years mobile number 99150-98799 gave the statement that I am the resident of the abovementioned address and since 2018 I have been working as constable in the department of Punjab Police with belt number 2973/Amritsar in Police Station Ranjeet Avenue Amritsar where I am doing general duty. On 29/10/2024 I was working as gunman with SI Rajwant Kaur Station House Officer. Police Station Ranjeet Avenue, that when two girls came present before the Station House Officer and recorded their statement. With regard to the enquiry of the complaint police party was present near hotel Holiday Inn Ranjeet Avenue, Amritsar. The officials performing their duty on PCR car yankee number 13 were directed by the Station House Officer to be present at the spot, where the officials performing duty were LR/ASI Gurmeet Singh 4034, DVR/ASI Gurbhej Singh 912 alongwith the PCR car reached at the spot. In the meantime a Bolero car came from the side of MK Hotel which was stopped for checking and two boys with short hair got out of the said car and started abusing the police officials

both these boys who looked to be in an inebriated condition and several attempts were made by me and as well as the Station House Officer, however, being inebriated both these boys continued abusing and one of them held my arm and the other boy caught hold of the collar of my uniform and tore it and the said boys were then caught hold of with the help of the other police officials and they were inquired about their names wherein one of them told his name as **Navtaj Singh** son of Lakhwinder Singh resident of Village Jhanjotiyian District Amritsar and the other boy told his name as **Karanbir Singh** son of Harwant Singh resident of Village Jhanjotiyian District Amritsar. The number of the car was checked and found to be PB 02 DW 1351 which was the same car regarding which two girls had come present before the Station House officer and had given their statement in written and in regard to investigation of which the police party including PCR car yankee number 13 was present at near by hotel Holiday Inn. B Block, Ranjeet Avenue, Amritsar. The abovementioned two boys have obstructed me in the performance my government duty and have insulted by grabbing my official uniform. Legal proceedings be initiated against them SD/- Jasbir Singh 2973/ASR.”

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The charges stand framed and now the case is pending for prosecution evidence since 13 witnesses remain to be examined, coupled with the fact that the petitioners have no previous criminal antecedents except that another FIR emanating from the same occurrence in question stands registered against them, this Court deems it fit to extend the concession of bail to the petitioners.

6. Accordingly, the instant petition is allowed and the petitioners be admitted to bail on their furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear

that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

May 15, 2025
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No