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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(216)

CRM-M-17579-2025 (O & M)

Date of decision: 28.07.2025

Samarpreet Singh @ sunny

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sapan Dhir, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 483 of BNSS, 2023 is for the grant of regular bail to the petitioner in case FIR No.76 dated 24.08.2024 under Sections 310(4) and 310(5) of BNS registered at Police Station Mamdot, District Ferozepur, Punjab.

2. The present FIR came to be registered on the statement of ASI Sahib Singh, CIA Staff, Ferozepur and reads as under:-

Today I, ASI alongwith ASI Pratap Singh No. 366/Ferozepur, HC Balwinder Singh No. 1559/Firozpur, Head Constable Harkirat Singh No. 1298/Firozpur, Head Constable Gurwinder Singh No. 271/Firozpur, PHG Gurmeet Singh No. 6233, PHG Sandeep Singh No. 22759, PHG Jagsir Singh No. 6000 were present in area of PS Mamdot, Sadar Ferozepur for patrolling in a government vehicle Ballero No. PB 05 AB 0868 driven by Head Constable Satnam Singh No. 385/Ferozepur alongwith a laptop printer and when the police party reached at T-Point, Mamdot on Ferozepur-Fazilka Road, then a reliable source has



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stopped our car by his hand signal and he informed me ASI that Rohit alias Rohi son of Gulab, Karan son of Tarsem, Sandeep Singh alias Chhipi son of Baldev Singh, residents of Norang Ke Lali, PS Sadar Ferozepur, Karan alias Ninja son of Sukha, resident of Ichhewala PS Sadar Ferozepur and Samarpreet Singh @ Sunny son of Sukhwinder Singh, resident of H. No. 109, Church Road, Ferozepur Cantt., commit robberies in Ferozepur area. Even today, all of them armed with deadly weapons have stopped at Cremation Ground, Village Warian Singh Wala at Mamdot Road on three motorcycles and are planning to rob any petrol pump on Ferozepur-Fazilka road. In case, all of them are nabbed immediately by raiding, then deadly weapons can be recovered from them and they can be stopped from committing robbery. This information is authentic and reliable. This category of predicate offense meets the ingredients of offences under Sections 310(4) & 310(5) BNS. Thus, a ruqa is being sent to the police station by hand through PHG Jagsir Singh No. 6000 for registration of FIR against the abovenamed Rohit @ Rohi, Karan son of Tarsem, Sandeep Singh alias Chhippi, Karan alias Ninja and Samarpreet Singh @ Sunny u/Ss 310 (4) & 310 (5) BNS. FIR number be informed after registration. Special report be issued. PCR be informed. I ASI alongwith my companions proceed for spot for raid A and recovery. Sd/- ASI Sahib Singh, CIA Staff, Ferozepur.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The case has been registered on the basis of a suspicion alone. The recovery of a base-ball bat has been planted upon the petitioner. As he is in custody since 24.08.2024, none of the 18 prosecution witnesses have been examined so far and in the two other cases registered against him, he has been granted the concession of bail, he is entitled to the similar concession in the present case as well.



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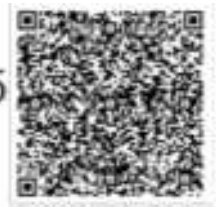
4. The learned counsel for the State, on the other hand, contends that the nature of the allegations levelled against him did not entitle him to the concession as prayed for, moreso, when a base-ball bat has been recovered from the petitioner whereas a *kappa* is recovered from his co-accused. He, however, concedes that the petitioner is in custody since 24.08.2024, that none of the 18 prosecution witnesses have been examined so far and that in the two other cases registered against him, he has been granted the concession of bail.

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

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated during the course of the Trial. Admittedly, the petitioner is in custody since 24.08.2024 but none of the 18 prosecution witnesses have been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. In the two other cases registered against him i.e. FIR No.325 dated 31.08.2018 under sections 379/411 IPC, Police station Zirakpur and FIR No.96/2023 dated 26.06.2023 under section 21 NDPS Act, Police Station Sadar Ferozepur, he has been granted the concession of bail. In this situation, he can be granted the said concession in the present case as well.

7. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Samarpreet Singh @ Sunny is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform



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in writing each time that he is not involved in any other case except the cases referred to in the custody certificate dated 26.07.2025.

9. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

10. The present petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 28, 2025

sukhpreet

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No