



247 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-27690-2025

Date of Decision:06.08.2025

Simarjit Singh @ Simra @ Simarjeet Singh ...Petitioner  
vs.  
State of Punjab ...Respondent

**Coram :** Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Sanjay Kaushal, Senior Advocate with  
Ms. Pawalpreet Kaur, Advocate and  
Mr. Arjun Kaushal, Advocate, for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

\*\*\*

**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.196 dated 26.11.2022 registered under Sections 364 of IPC, 1860 (offence under Sections 364-A, 302, 201 of IPC were added later on vide Rapat No.31 dated 17.12.2022 and offence under Section 120-B of IPC added), at Police Station Kotbhai, District Sri Muktsar Sahib.

2. The FIR in the present case was registered on the basis of the statement made by Sukhdev Singh @ Sukha son of Manohar Singh and the same has been reproduced below:-

*“Sukhdev Singh @ Sukha son of Manohar Singh son of Kehar Singh resident of Village Kot Bhai District Sri Muktsar Sahib appeared before ASI and recorded his statement. The details thereof are that; Stated that I am resident of above said address. I am doing agriculture. I am married person. I have two children. The elder daughter is Rajvir Kaur aged about 23 years and*

*younger to him is son Harman Singh, aged about 20 years. He has studied upto 10\* class. On dated 25.11.2022, it will be 12 O'clock in the day, my son Harman Singh said to my mother Ranjit Kaur that he is going towards the school ground to see games. My son Harman Singh did not come back even after long time. First of all, my wife Sukhpreet Kaur made phone call to my son Harman Singh on his mobile No.77196-50025 from her phone No.805247-50511. But the mobile phone of my son Harman Singh was found switched off. In this regard, my wife Sukhpreet Kaur told me that Harman Singh went towards the ground but did not come back. His phone is lying switched off. Then, I have searched my son Harman Singh in the school ground as well as in surrounding, but he was not found. After that I made phone call from my to the phone No.94170-26359 of my son Harman Singh. But at that time, the phone of my son was switched off. When, I tried and again made phone calls on the mobile phone of my son, at 4:45 PM, the phone was connected. Some unknown person attended the phone and said to Harman that phone call has come from your home. I said to hold my talk with Harman. But he said that you cannot talk with Harman. The unknown person said to me that there is a gym room at village Chhatteana Road. One white cloth is lying at its roof, you may check it and you will know. Then, I along with my neighbourer Gora Singh climbed on the gym room at Chhateana road and found that one white colour cloth was tied. Then I checked it and one written letter was written on a page of register/copy. The letter is bearing lot of details regarding the ransom. It is not difficult for you to arrange Rs.30 Lakh in 4/5 days. Therefore, to take decision with through consideration that whether you need the boy or money. An amount of Rs.30 Lakh has been demanded as ransom. I am presenting a detailed letter before your for your kind perusal. Unknown person has kidnapped my son for ransom. They can cause loss to my son for the sake of money. Kindly take action against the above said persons and my son Harman Singh be safely recovered. Legal action may kindly be*

*taken against the above said person and justice be given. I have recorded my statement to you, which is read over and is correct. Action may kindly be taken. ASI Gurmit Singh.”*

3. Learned Senior counsel for the petitioner contends that the FIR was initially registered against unknown persons and the averments made in the FIR do not connect the petitioner with the commission of crime in any manner. In fact, during the course of investigation, the police had recorded the statement of Jagmeet Singh @ Nikku on 07.12.2022 and 09.12.2022 and he stated that Deepak Kumar @ Deepak, Jagmeet Singh @ Mossi, Akashdeep Singh @ Akash, Gursewak Singh @ Mithan, Navjot Singh @ Jyoti and Malkeet Singh were involved. On 10.12.2022 and 12.12.2022, the complainant made a supplementary statement and identified various other accused, namely, Mandeep Singh @ Gaggu, Manpreet Singh @ Pita, Parminder Singh @ Lalu, Ramandeep Kaur, Seema Rani and Sneha Rani. However, the petitioner was not named in any of the above referred statements. But, surprisingly on 26.12.2022 Jagjit Singh @ Kaka made a statement that he had heard the accused, including petitioner, conspiring about abducting Harman Singh, since deceased. Even the statement of Sarbjeet Singh was also recorded allegedly on the same day to the effect that he had seen Harman Singh, deceased in a car driven by Navjot Singh @Jyoti and the petitioner was sitting on the co-passenger seat. On the basis of the statement of Jagjit Singh alias Kaka and Sarbjeet Singh, the petitioner was nominated in the FIR, after several days. Even after his arrest, the petitioner was allegedly made a disclosure statement, which allegedly led to the recovery of a threat letter. Learned Senior counsel further submits that the petitioner has been falsely involved, alongwith other co-accused. In fact, the statement of PW1 Sukhdev Singh @ Sukha completely

exonerates the present petitioner. Admittedly, the other witnesses were closely related to him. However, surprisingly, they shared the most vital information with the complainant after a lapse of one month. This delayed information in the shape of the statements given to the police create doubts about the credibility of the said statements. Even the petitioner had not participated in the alleged occurrence, as claimed by the prosecution himself. The petitioner was arrested in the present case on 26.12.2022 and is in custody since then.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned Senior counsel for the petitioner on the ground that serious allegations have been levelled against the petitioner and he does not deserve the concession of bail by this Court.

5. I have heard learned counsel for the parties and perused the record.

6. Admittedly, the petitioner is in custody for the last more than 02 years and 07 months. The prosecution has been able to examine only 04 witnesses, out of total 44 witnesses so far. Moreover, the prosecution is yet to lead evidence to prove the offence against the present petitioner only during the course of trial.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

**(N.S.SHEKHAWAT)**  
**JUDGE**

**06.08.2025**  
hemlata

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No