



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

Date of decision: 14.10.2025

1. CRM-M-42189-2025 (O&M)

TEHAL SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

2. CRM-M-54700-2025 (O&M)

MOHKAMDEEP SINGH ALIAS MOKAMDEEP SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Nukul Sharma, Advocate for the petitioners.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. This order shall dispose of above noted two petitions, as the same have emanated out of the same occurrence.

2. Prayer is for grant of anticipatory bail to the petitioners in criminal case having FIR No.148 dated 16.10.2022 registered under Sections 364, 148, 149 IPC and Sections 25, 27 of Arms Act at Police Station Kulgari, District Ferozepur.

3. Status reports dated 09.10.2025 and 13.10.2025 by way of affidavit of Karan Sharma, PPS, Deputy Superintendent of Police (Rural), District Ferozepur have been filed on behalf of respondent-State in CRM-M-42189-2025 & CRM-M-54700-2025 respectively and the same are taken on record.



- 2-

4. On 18.08.2025 in CRM-M-42189-2025, following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.148 dated 16.10.2022 registered under Sections 364, 148, 149 IPC and Sections 25, 27 of Arms Act at Police Station Kulgari, District Ferozepur.

Present case was registered on the basis of statement made to the police by Manpreet Singh with the allegations that on 16.10.2022 at about 11:30 a.m., he along with Binder driver of Trola No.PB13-AB-7731 reached at a petrol pump near Octroi No.8 on Faridkot road for getting fuel filled. He was travelling on his motorcycle as they had to leave the said trola at Mehma Dana Mandi. In the meanwhile, one Alto car in which petitioner-Tehal Singh armed with .12 bore gun, Mehal Singh armed with .12 bore gun and Nirvail Singh were sitting while Davinder Singh son of Tehal Singh was driving the car. One Splendor motorcycle also came there which was being driven by Gora while Mohkamdeep Singh and Davinder Singh son of Nishan Singh were riding the pillion. Besides this, 4-5 more motorcycles came there, out of which, one was being driven by Salwinder Singh and others were 5-6 unknown persons who all were carrying baseball, kirpan, gandasi etc. Baba Tehla raised a lalkara to catch hold of Binder and threatened to teach him a lesson for not returning a sum of ₹ 1 lakh. In the meanwhile, his son Davinder Singh started causing injuries with baseball bat while Tehal Singh and Mehal Singh pointed their guns at Binder. Mehal Singh asked him to drag Binder inside the car and proclaimed that today, he will be killed and the dead body will be thrown in canal. Gora son of Tehal Singh and Mohkamdeep Singh dragged Binder inside the Alto car and they all fled away from the spot along with their weapons. He got frightened and informed the owner of the trola namely Lakhvir Singh about the incident and thereafter, FIR was got



- 3-

registered.

I have heard the learned counsel for the petitioner as well as the learned State counsel and have gone through the material collected by the police during investigation.

Learned counsel for the petitioner contended that the petitioner is innocent and has been falsely implicated. The petitioner and others had a dispute with Binder over the trola which was taken on rent from them and later on, instead of returning the trola, he sold the same without the consent of the petitioner and his brothers. Binder was never kidnapped and was never taken to any secret place. No injury has been suffered by Binder and a false story has been concocted. He is ready to join investigation and to abide by the conditions that may be imposed by the Court.

Learned counsel further contended that another FIR bearing No.89 dated 16.10.2022 under Sections 307, 353, 336, 186, 148, 149 IPC read with Section 25, 27 of Arms Act had been registered at Police Station Arif Ke, District Ferozepur against the petitioner in which a status report has been filed by the State before a Coordinate Bench of this Court and it has been reported that the petitioner was to be innocent in the present FIR i.e. FIR No.148 dated 16.10.2022 and report submitted by the DSP has been accepted by the Superintendent of Police as well as DIG, Ferozepur Range and copy of the report has been placed on file today. Learned counsel next contended that co-accused/Nirvail Singh has already been granted bail by the Court of Sessions whose case is identical to that of the petitioner. Nothing is to be recovered from the possession of the petitioner and benefit of anticipatory bail be, thus, extended in his favour.

On the other hand, learned State counsel argued that the petitioner has committed a heinous offence and the victim was kidnapped at the instance of the petitioner after he raised a lalkara.



- 4 -

The weapons used in committing the crime are yet to be recovered and custodial interrogation of the petitioner is, thus, required and the petitioner does not deserve the concession of anticipatory bail.

Learned counsel for the petitioner has placed on file the status report filed by Sukhwinder Singh, PPS, DSP (City), District Ferozepur in another bail application instituted by the petitioner having CRM-M-42178-2025 in FIR No.89 dated 16.10.2022, PS Arif Ke, District Ferozepur in which it has been disclosed that the petitioner has been found to be innocent in the present FIR i.e. FIR no.148 dated 16.10.2022, PS Kulgari, District Ferozepur. SP (Investigation) has also recommended to declare petitioner-Tehal Singh as innocent and report of SP has been accepted by DIG Ferozepur Range. Moreover, no injury has been suffered by the victim and he was recovered on the same day and the alleged abduction at the instance of the petitioner is, thus, doubtful even as per status report filed by the police in the connected FIR.

Adjourned to 14.10.2025 for filing status report. Meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be released on ad-interim anticipatory bail to the satisfaction of the Arresting/Investigating officer. However, the petitioner shall join the investigation as and when required by the Investigating Officer. He shall further comply with the conditions stipulated in Section 482(2) of BNSS/438(2) of Cr.P.C.”

5. On 26.09.2025 in CRM-M-54700-2025, following order was passed:-
“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.148 dated 16.10.2022 registered under Sections 364, 148, 149 IPC and Sections 25, 27 of Arms Act at Police Station Kulgari, District Ferozepur.

Present case was registered on the basis of statement made to the



- 5-

police by Manpreet Singh with the allegations that on 16.10.2022 at about 11:30 a.m., he along with Binder driver of Trola No.PB13-AB-7731 reached at a petrol pump near Octroi No.8 on Faridkot road for getting fuel filled. He was travelling on his motorcycle as they had to leave the said trola at Mehma Dana Mandi. In the meanwhile, one Alto car in which petitioner-Tehal Singh armed with 12 bore gun, Mehal Singh armed with 12 bore gun and Nirvail Singh were sitting while Davinder Singh son of Tehal Singh was driving the car. One Splendor motorcycle also came there which was being driven by Gora while petitioner Mohkamdeep Singh and Davinder Singh son of Nishan Singh were riding the pillion. Besides this, 4-5 more motorcycles came there, out of which, one was being driven by Salwinder Singh and others were 5-6 unknown persons who all were carrying baseball bats, kirpan, gandasi etc. Baba Tehla raised a lalkara to catch hold of Binder and threatened to teach him a lesson for not returning a sum of 1 lakh. In the meanwhile, his son Davinder Singh started causing injuries with baseball bat while Tehal Singh and Mehal Singh pointed their guns at Binder. Mehal Singh asked him to drag Binder inside the car and proclaimed that today, he will be killed and the dead body will be thrown in canal. Gora son of Tehal Singh and petitioner Mohkamdeep Singh dragged Binder inside the Alto car and they all fled away from the spot along with their weapons. He got frightened and informed the owner of the trola namely Lakhvir Singh about the incident and thereafter, FIR was got registered.

Notice of motion.

Mr. G. S. Dhaliwal, AAG, Punjab, accepts notice on behalf of respondent-State.

I have heard the learned counsel for the petitioner as well as the learned State counsel and have gone through the material collected by the police during investigation.



- 6-

Learned counsel for the petitioner contended that the petitioner is innocent and has been falsely implicated. The petitioner and others had a dispute with Binder over the trolly which was taken on rent from them and later on, instead of returning the trolly, he sold the same without the consent of the petitioner and his brothers. Binder was never kidnapped and was never taken to any secret place. No injury has been suffered by Binder and a false story has been concocted. He is ready to join investigation and to abide by the conditions that may be imposed by the Court.

Learned counsel further contended that another FIR bearing No.89 dated 16.10.2022 under Sections 307, 353, 336, 186, 148, 149 IPC read with Section 25, 27 of Arms Act had been registered at Police Station Arif Ke, District Ferozpur against the petitioner in which a status report has been filed by the State before a Coordinate Bench of this Court and it has been reported that the petitioner Tehal Singh was found to be innocent in the present FIR i.e. FIR No.148 dated 16.10.2022 and report submitted by the DSP has been accepted by the Superintendent of Police as well as DIG, Ferozpur Range and copy of the report has been placed on file today. Learned counsel next contended that co-accused Tehal Singh has already been granted anticipatory bail by this Court vide order dated 18.08.2025 and in case of petitioner which is also identical to that of Tehal Singh. Nothing is to be recovered from the petitioner in the present case. Therefore, benefit of anticipatory be extended in his favour.

On the other hand, learned State counsel argued that the petitioner has committed a heinous offence and the victim was kidnapped at the instance of the petitioner after he raised a lalkara. The weapons used in committing the crime are yet to be recovered and custodial interrogation of the petitioner is, thus, required and the petitioner does not deserve the concession of anticipatory bail.

Vide order dated 18.08.2025, accused Tehal Singh has been granted



- 7 -

anticipatory bail by this Court and case of the petitioner is identical to that of co-accused Tehal Singh and therefore he is entitled to be released on bail.

Adjourned to 14.10.2025 for filing status report. Meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be released on ad-interim anticipatory bail to the satisfaction of the Arresting/Investigating officer. However, the petitioner shall join the investigation as and when required by the Investigating Officer. He shall further comply with the conditions stipulated in Section 482(2) of BNSS/438(2) of Cr.P.C.

To be heard along connected case i.e. CRM-M-42189-2025.

6. Today, learned State counsel has informed this Court that the petitioners have joined the investigation, in compliance of the orders dated 18.08.2025 and 26.09.2025 and are no longer required for further investigation.
7. In view of the aforesaid, the orders dated 18.08.2025 and 26.09.2025, whereby the petitioners were granted interim anticipatory bail, are hereby made absolute. However, they shall continue to join investigation, if and so required by the Investigating Officer.
8. Both the petitions stand disposed of.
9. A photocopy of this order be placed on the file of the connected case.
10. Pending misc application (s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

14.10.2025
amandeep

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