

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

2025:PHHC:124312



CRM-M-24752-2025 (O&M)

Date of decision:09.09.2025

Joginder Singh @ Kaali

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA.**

Present: Mr. Lupil Gupta, Advocate and  
Mr. Akash Khurana, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

**MANISHA BATRA, J. (ORAL).**

The instant petition has been filed under Section 483 of the BNSS seeking grant of regular bail to the petitioner in case arising out of FIR No.125, dated 03.12.2024, under Sections 140(2), 331(4), 351(3), 61(2), 319(2) of Bhartiya Nagrik Sanhita, 2023 (BNS), registered at Police Station Khui Khera, District Fazilka.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant-Kulvir Singh alleging that on the night of 02.12.2024, he along with his family members was sleeping in his house when some unknown persons entered therein after scaling the wall of the same. They started calling his son Sarabjeet Singh by name. The complainant woke up his son Sarabjeet Singh and both of them came out of the room. They found three unknown persons standing there in police

uniform and apart from them, one person was also in civil uniform. By saying that a complaint had been received at police station against Sarabjeet Singh and they were required to take him there, they got appended the signatures of Sarabjeet Singh on some papers and tried to take him along with them. In the meanwhile, the complainant had raised alarm but those persons forcibly took away Sarabjeet Singh with them in an Innova vehicle. The complainant contacted the village Sarpanch, who made a call at the police station and came to know that no police official had gone to take Sarabjeet Singh.

3. As per further allegations, sometime thereafter, a call had been received at the mobile phone of Sarabjeet Singh, which had been left by him at his house. The unknown caller raised demand of ransom money of Rs.50 lakhs and otherwise threatened to take the son of the complainant away to Moga. Complainant also received one more similar call. The caller insisted for making payment of money. The complainant reported the matter to the police and prayed for taking action.

4. After registration of the FIR, investigation proceedings were initiated. During investigation, the petitioner and five more persons were nominated as accused. Offences under Sections 205 and 319(2) of the BNS were added. The victim was recovered from the custody of accused Kuldeep Singh, Harjinder Singh Gurdev Singh. It was revealed that the petitioner and co-accused hatched a criminal conspiracy and in pursuance thereof, had abducted son of the complainant for ransom by projecting themselves as police officials. The petitioner was arrested on 12.02.2025 and in custody since then.

5. It is argued by learned counsel for the petitioner that he has

been falsely implicated in this case. He was not named in the FIR. Victim Sarabjit Singh executed a compromise on 06.02.2025 in his favour affirming that no occurrence had taken place as alleged with him and that the petitioner was innocent as he himself had accompanied the accused. The petitioner has clean antecedents. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

6. Status report has been filed. It is argued by learned State counsel that the petitioner by hatching conspiracy with the accused had abducted the victim Sarabjeet Singh for ransom by projecting himself as a police official. There are serious allegations against the petitioner. There are chances of his absconding or committing similar offences, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

7. This Court has heard rival submissions made by learned counsel for the parties.

8. The petitioner by hatching conspiracy with the co-accused is alleged to have abducted the victim for ransom. He has clean antecedents. Though, the petitioner has placed on record Annexure P-2, copy of a Panchayati compromise stated to have been executed by the victim Sarabjeet Singh, however, the same does not appear to be signed by the victim or even the complainant. Though, no importance can be given to this document at this stage. However, the investigation stands completed. The trial will take time to conclude. No fruitful purpose would be served by keeping the petitioner in custody anymore. It is well settled proposition of law that pre-

trial incarceration cannot be replica of post sentence period. Keeping in view the above facts and circumstances but without meaning to make any comment on the merits of the case, lest they prejudice the case of either of the parties, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

09.09.2025

*harjeet*

(MANISHA BATRA)  
JUDGE

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