

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

2025:PHHC:124669



(111+220)

CRM-M-32856-2025(O&M)

Date of Decision: 10.09.2025

Boota Singh Sran

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present:- Mr. Kunal Vinayak, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH.J (Oral)

CRM-36535-2025

Application is allowed as prayed for.

Documents at Annexures P-4 to P-8 are taken on record.

Main Case

Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of petitioner	FIR No.	Date	Section(s)	Police Station	District
Boota Singh Sran	0026	03.04.2025	108 and 351(2) of BNS, 2023.	City Zira	Ferozepur

2. Deceased Sarabjit Singh committed suicide on account of the fact that an amount of Rs.85 lakhs had been paid by him to the petitioner under the pretext of sending some persons abroad. Case of the prosecution

is that despite collecting such a huge amount and the same having been paid to the petitioner, he was under tremendous pressure from such people. However, petitioner and his wife neither paid back the said amount nor made necessary arrangements for sending such people abroad. Whenever deceased Sarabjit Singh used to ask petitioner Boota Singh Sran, he continued lingering on the issue and when he spoke to his wife on phone, who had also taken cash of Rs.5 lakh from him through some acquaintance, she also kept making excuses. Not only this, wife of petitioner used to threaten the deceased that she would implicate him in a false case of rape.

3. Learned counsel for the petitioner contends that co-accused i.e. wife of the petitioner has already been released on anticipatory bail by the court of Sessions vide order dated 25.04.2025 (Annexure P-2). Learned counsel also contends that as the investigation has already been completed and the final report has been submitted before the trial Court, and since the trial is likely to take considerable time, the petitioner's personal liberty cannot be curtailed in the absence of any cogent and convincing evidence against him. It is submitted that petitioner is inside the jail for the last about five months. Though, the investigation is complete but charges are yet to be framed and thus submits that culmination of trial will take sufficient time and therefore petitioner cannot be put behind bars unless the charges are proved beyond doubt. Accordingly, learned counsel for the petitioner submits that, in view of the aforesaid circumstances, petitioner may be granted the concession of regular bail.

4. On the other hand, learned State counsel is not in a position to controvert the factual submissions made by the petitioner's counsel. Learned State counsel has filed custody certificate of the petitioner and

confirmed the total incarceration period of 04 months and 23 days up till now and submits that as per the custody certificate, petitioner is found indulged in one another case i.e. FIR no.15 dated 05.02.2018 registered under Sections 21, 61, 85 of NDPS Act at Police Station Muktsar City, District Muktsar.

5. In this regard, learned counsel for petitioner clarifies that in fact the recovery in the said case under NDPS Act is of small quantity and the petitioner has been released on bail.

6. I have considered the submissions made by learned counsel for the parties and gone through the custody certificate, which is taken on record.

7. Admittedly, during investigation, no amount is found to be credited in the account of the petitioner or his wife that too at the instance of deceased Sarabjit Singh or during his life time. The allegation is with regard to making payment of such a huge amount of Rs.85 lakhs in cash. Therefore, the said allegation regarding payment of such a huge amount is yet to be established during the course of trial before the learned Trial Court and until such charges are proved, petitioner cannot be forced to remain inside jail for indefinite period. After completion of investigation, charges are yet to be framed, therefore, conclusion of trial would take sufficient long time. In the given circumstances, I deem it appropriate to allow the prayer for regular bail made through the present petition.

8. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in

any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands disposed of.

10.09.2025
lucky

(SANJAY VASHISTH)
JUDGE

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