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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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**CRM-M-24833-2025 (O&M)
Date of decision : 29.05.2025**

Bir Singh and another**...Petitioners****Versus****State of Punjab****...Respondent****CORAM:- HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Ms. Ramandeep Kaur Bhathal, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Ms. Sukhmandeep Kaur, Advocate
for the complainant.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing FIR No. 10 dated 10.02.2025, registered under Sections 308(2), 140(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*) at Police Station Sadar Zira, District Ferozepur.

2. Brief facts of the case relevant for the purpose of disposal of the present petitions are that the aforementioned FIR was registered on the basis of the statement recorded by complainant Dharamjit Kaur on 10.02.2025 alleging therein that her husband Lovepreet Singh was a plumber by profession. On the same day, at about 04:30 PM, she received a call from her husband, who asked her to arrange for a sum of Rs. 2 Lakhs and to reach Tarn Taran. As the complainant suspected some foul play, she took her father-in-law and village

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Sarpanch along with her. Then, after contacting the police of the concerned police station, she along with above named persons and some police officials in civil dresses had proceeded for Tarn Taran. While they were on their way, she received repeated calls from the cell phone of her husband and lastly her husband told her that he had been abducted by four persons, two out of whom were in police uniform. They were demanding a sum of Rs. 2 Lakhs, otherwise were threatening to implicate the husband of the complainant in a false case under the NDPS Act. On reaching at the spot, the police officials, who had gone with the complainant, nabbed the occupants of the vehicle, in which the husband of the complainant was held captive. The petitioners, who were in police uniform and were in fact police officials, were also apprehended. They were interrogated and suffered disclosure statements admitting their involvement in the crime. They were formally arrested. Husband of the complainant was recovered from the same vehicle. The petitioners got recorded their disclosure statements admitting the factum of abducting the husband of the complainant and demanding an amount of Rs. 2 Lakhs and otherwise to involve him in false cases under NDPS Act.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. They are in custody since 10.02.2025. Investigation stands completed. Trial would take considerable time to conclude. The complainant and her husband have sworn affidavits on 11.04.2025 affirming that it was due to some misunderstanding that they had lodged the aforementioned FIR against the petitioners. There are no chances of conviction of the petitioners. No useful purpose would be served by keeping them in custody anymore. It is, therefore, urged that the petition deserves to be allowed

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and the petitioners deserve to be released on bail.

4. Learned counsel for the complainant has submitted that since a compromise has been arrived at between the petitioner and the complainant/victim, therefore, they have no objection if this petition is allowed.

5. Status report has been filed by the respondent-State. It is submitted therein and learned State counsel has argued that there are serious allegations against the petitioners, who are police officials. They had abducted the husband of the complainant and were trying to extort money from him by extending threats to implicate him in false cases. No relevance can be given to the contents of the affidavits allegedly sworn by the complainant and her husband. The trial has commenced and there is nothing on record to show that there would be any undue delay in conclusion of the same. Rather, the same can be expedited. Petitioner Bir Singh has criminal antecedents as one more case of kidnapping and wrongful confinement has been registered against him. The release of the petitioners on bail would give wrong message to the society. Keeping in view the aforesaid facts and circumstances of the case as well as the nature of allegations levelled against the petitioners, I of the considered opinion that the petitioners do not deserve to be released on bail, at this stage. Accordingly, the present petition is dismissed.

6. It is made clear that any observation made herein above is only for the purpose of deciding the present petitions and the same shall have no bearing on the merits of the case.

29.05.2025

Waseem Ansari

(MANISHA BATRA)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No