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CRM-M-34824-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34824-2025
Decided on: 07.07.2025

Manpreet Singh @ Kali

...Petitioner

Versus

State of Punjab

...Respondent

CRM-M-34859-2025

Jagseer Singh @ Seera @ Sukhveer Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Prince Goyal, Advocate
for the petitioner(s).

Ms. Navreet Kaur Barnala, AAG, Punjab.

Mr. Ravinder Singh, Advocate
for the complainant(s).

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0053	10.05.2025	Jaitho, District Faridkot	304(2), 126(2), 3(5) of BNS 2023

1. This order shall dispose of two petitions as mentioned above. For the sake of brevity, facts have been taken from **CRM-M-34824-2025 titled as Manpreet Singh @ Kali vs. State of Punjab.**

2. The petitioner(s) apprehending arrest in the FIR captioned above have come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

3. In paragraph 13 of the bail petition(s), the accused declare that they have no criminal antecedents.



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4. The facts and allegations are being taken from translated copy of the FIR (Annexure P-1), which reads as follows:

“Statement of Ranjit Singh alias Neetu son of Harnek Singh, Numberdar, resident of Rasal Patti, Jaito, age about 45 years, mobile no. 91152-31631. Stated that I am resident of aforesaid address and agriculturist by profession. I am married, having one son and one daughter. On dated 25.4.2025, I went to the house of one of my friend namely, Harpiar Singh son of Pal Singh, resident of Ukandwala in order to see him. After seeing him and taking Harpiar Singh along on my motor cycle no. PB-62-7138 marka CD-100 Bajaj, being driven by myself while my friend Harpiar Singh was sitting on its pillion, then, on dated 25.4.25 at about 05:00 PM, when we reached near flour mill from the side of phirni of village, then, inhabitants of village Ukandlana, namely, Jagsir Singh alias Seera; Jagmeet Singh alias Giani sons of Amarjit Singh and Manpreet Singh alias Kali son of Manjit Singh, residents of Ukandwala, all these three persons rounded our motor cycle and started hurling abuses to us. When we asked them about hurling of abuses to them, then, all these three persons being anguished and started making manhandling with us. At that time cash amount of Rs. 16700/- was lying on left pocket of the shirt worn by me along with one mobile phone marka touch OPPO containing sim card of Airtel company bearing no. 94783-31631, which were snatched by all the aforesaid three persons. Appropriate legal action against the aforesaid persons, namely, Jagsir Singh alias Seera; Jagmeet Singh alias Giani sons of Amarjit Singh and Manpreet Singh alias Kali son of Manjit Singh, residents of Ukandwala may be initiated.”

5. The petitioners’ counsel submits that matter has been compromised and prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioners and their family.

6. The State’s counsel opposes bail, however counsel for the complainant has no objection if bail is granted to the petitioner(s).

REASONING:

7. Given the fact that matter has been compromised between the parties, no purpose would be served to send the petitioner(s) for custodial interrogation.

8. Pre-trial incarceration should not be a replica of post-conviction sentencing. The



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evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

9. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations, no objection given by complainant's counsel and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioners make a case for bail.

10. Given above, provided the petitioners are not required in any other case, the petitioners shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

11. While furnishing a personal bond, the petitioners shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

12. *The petitioners are directed to join the investigation as and when called by the Investigator.* The petitioners shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioners shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioners shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

13. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above,

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then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioners notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

14. This bail is conditional, and the foundational condition is that if the petitioners indulge in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioners can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

17. Petitions allowed in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

07.07.2025

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Whether speaking/reasoned: Yes

Whether reportable: No.