



231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55694-2024

Date of Decision: 17.12.2024

Baljinder Singh alias Rana

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Sandeep Sharma, Advocate, for the petitioner.
Mr. Deepinder Singh Brar, Senior DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.0132, dated 09.08.2024 registered under Sections 308(6), 204, 61(2) of BNS, 2023 (offence under Section 238 of BNS, 2023 added later on), at Police Station Chheharta, District Police Commissionerate Amritsar.
2. The FIR in the present case was registered on the basis of the statement made by Kajal wife of Gurjit Singh @ Honey and the same has been reproduced below:-

“Statement of Kajal wife of Gurjit Singh @ Honey resident of Village Guntala at present residing on rent at Street Bo.4, New Pal Avenue, Ram Tirath Road, Police Station Chheharta Amritsar, aged about 22 years Phone No. 82643-79765 stated that I am the resident of the said address and my marriage was solemnized in the month of January 2024 with Gurjit Singh @ Honey son of Kulwant Singh resident of Village Guntala District Amritsar and after the marriage I and my husband started residing at the said address on rent and my Husband Gurjit Singh C Honey is working as an waiter in the palaces. On dated 11.07.2024, my



husband Honey had a minor domestic dispute with my brother-in-law Sukh and said us that I will give an application in the Police Station and after that on dated 12.07.2024 the time would be around 7.00 in the morning, that I my husband Gurjit Singh C Honey, my mother Narinder Kaur wife of Sarabjit Singh resident of Guru Ki Wadali, Guru Nanakpura, Chheherta amaritsar who came to visit, was present at home, then two persons in Turban on a white Delhi number car came to our house and started saying we are police officials and are posted in CIA Staff, then my husband Gurjit Singh Honey ran away in fear because he suspected that his brother Sukh had sent the police due to fight, then both of them started abusing me and my mother Narinder Kaur and said that my husband Gurjit Singh @ Honey is involved in dealing of Heroin and we have come to arrest him and they started searching our house and after taking keys from me started searching the steel almirah and took out Rs.2,50,000/-which were in 500/500 notes and gold ornaments which included 2 rings of my husband, 1 Mangal Sutra, my 1 pair of gold ear rings and 1 pair of tops (Kante) from the locker of almirah and started compelling to call Gurjit Singh @ Honey failing which we will register a case against him and will also implicate you in the case. After this one person sat inside and the other person went outside and started talking with someone on phone. After 15/20 minutes Honey's brother-in-law Anokh Singh C Ajay son of Gullu resident of Baba Darshan Singh Colony, Back side Dera Baba Darshan Singh Kale Road Amritsar came to our house and started talking with both the persons and said that they are police officials and came from CIA Staff and are known to me. They had to pay Rs.3,50,000/- to these persons to get saved from the case. I and my said call Honey and talk, then Honey's brother-in-law Anokh Singh went to take Honey and after about 15/20 minutes came home with Honey, then we said we are not having such huge amount, upon which the both said persons threatened us that if we don't gave money, they will



register a case against Honey and he will remain in the jail for 10 years. Due to fear we said that take Rs.2,50,000/- along with the gold ornaments and don't register a case against us. Then the said persons took all our money and gold ornaments and went from our house along with my brother-in-law and told Honey not to stay here and get underground. That again on dated 12.07.2024 brother-in-law of Honey started calling in the evening and said that we will have to give Rs.50000/-, in fear we arranged Rs.50000/ from our relatives and gave to Ajay. After that my husband Gurjit Singh @ Honey remained away from the house concealing himself here and there. After that we suspected that this was done by Honey's brother-in-law Anokh Singh, because after that we kept trying to contact Anokh Singh, but he also remained away from the house. Then we talked about this incident to our relatives, and after verifying everything find out that Honey's Brother-in-law Anokh Singh along with his fellows Baljinder Singh @ Rana son of Milkha Singh resident of Near Petrol Pump Khara, District Tarn Taran and a person named Gursewak Singh has send Baljinder Singh @ Rana and Gursewak Singh as Police officials of CIA Staff to our house and falsely accused us of selling drugs and extorted Rs.3,00,000/- and said gold ornaments. The said Anokh Singh also knew that we have kept the amount for getting plot and Anokh Singh was getting us a plot, but didn't get the plot. Now I have come to inform you, that you met. That Anokh Singh along with his fellows Baljinder Singh and Gursewak Singh by making them CIA Staff officials, they have made false accusations against my husband Gurjit Singh @ Honey of selling drugs and extorted money and gold ornaments from us. Strict action be taken against all these persons. Statements have been read and are correct SD/- Kajal.”

3. Learned counsel for the petitioner contends that the alleged occurrence had taken place on 12.07.2024, whereas the FIR has been registered



on 09.08.2024, after a delay of 27 days. He further contends that the time of 27 days was used by the complainant in coining a false version and the story of the prosecution is highly improbable and unbelievable. Learned counsel further contends that the petitioner was arrested in the present case on 09.08.2024 and final report under Section 173 Cr.P.C. has already been presented against him.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, the petitioner is in custody for the last 04 months and the challan has already been presented against him. The prosecution has placed reliance on 13 witnesses, but no witness has been examined so far. Thus, there is remote possibility of early conclusion of the trial.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

17.12.2024.
hemlata

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