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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.7540 of 2025
Date of Decision: 20.05.2025

Gursewak Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vinay Puri, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
120	03.12.2024	City Nakodar, District Jalandhar Rural	308(5), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 of Arms Act, 1959

2. As per the allegations, on 30.11.2024, the complainant who is a doctor by profession and runs a scanning centre at Nakodar, Punjab was present in his scanning centre when he received a call on his cell

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phone from phone No.7657880093. He did not attend those calls. However soon thereafter, he received four voice messages on his Whatsapp and senders of those messages were asking the complainant to either give a sum of Rs.20 lakhs or they were threatening to kill him by proclaiming that they were members of Bambiha group. The complainant alleged that he listened to those recordings several times and found that the voices were that of petitioner and co-accused Sunil Kumar who had visited him for scanning a few days back and had conversation with him for long time. Being sure that the petitioner and Sunil Kumar had made ransom call to him, he prayed for taking action. The aforementioned FIR was registered on his complaint. Investigation proceedings were initiated. The petitioner was arrested and is in custody since 07.12.2024. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The trial will take time. There is unexplained and inordinate delay in lodging of the FIR. The prosecution version is improbable and unnatural. No recovery has been effected from him. He has clean antecedents. His further detention would not serve any useful purpose. Accordingly, it is urged that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab that there are grave and serious allegations against the petitioner who in connivance with the co-accused had made call on the phone of the complainant and then had sent four voice messages

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demanding ransom amount of Rs.20 lakhs from the complainant and has otherwise threatened to kill him. It is argued that there are chances of petitioner's intimidating the material witnesses or absconding if extended benefit of bail. The trial has to be commenced and there is nothing on record to show that there would be any undue delay in conclusion of the same. Accordingly, it is stressed that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused allegedly sent voice messages from the phone used by the co-accused, to the complainant making ransom calls for extortion of money. He is in custody since 07.12.2024. He does not have any criminal antecedents. The trial is likely to take time. There is no basis for the contention that he will intimidate the witnesses or may abscond. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

20.05.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No