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CRM-M-12666-2025
Decided on: 02.08.2025

Lovepreet Singh alias Lota

...Petitioner

Versus

State of Punjab

...Respondent

CRM-M-14912-2025

Jagdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Kushaldeep Kaur, Advocate (Through VC)
for the petitioner(s) in CRM-M-12666-2025.

Mr. D.S. Virk, Advocate
for the petitioner(s) in CRM-M-14912-2025.

Ms. Pooja Nayar Sharma, DAG, Punjab.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
72	15.08.2016	Phul, District Bathinda	379-B, 379, 411, 34 IPC

1. This order shall dispose of two petitions as mentioned above. For the sake of brevity, facts have been taken from *CRM-M-12666-2025 titled as Lovepreet Singh alias Lota vs. State of Punjab*.

2. The petitioner(s) incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

3. Per paragraph 7 of the bail petition as well as para 7 of the status report (filed in CRM-M-12666-2025) petitioner-Lovepreet Singh has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	105	16.10.2022	380, 457, 411 IPC	Tappa
2	98	30.04.2025	42, 52 A of Prisons Act	Sadar Mansa
3	87	28.10.2016	363, 366A, 376 IPC and 4 of POCSO Act	City Rampura

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4	192	22.11.2022	457, 380, 427 IPC	City Rampura
5	122	09.12.2022	457, 380, 34, 411 IPC	Tappa
6	177	25.04.2023	324, 323, 34, 201 IPC	City Barnala

Per paragraph 9 of the bail petition (CRM-M-14912-2025) as well as custody certificated dated 01.08.2025, petitioner-Jagdeep Singh has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	86	11.09.2017	457, 380, 411 IPC	Rampura
2	178	03.09.2018	458, 380, 324, 148, 149 IPC	Nathana
3	159	24.07.2019	22 of NDPS Act	City Rampura
4	14	16.02.2023	457, 380, 411 IPC and 25 of Arms Act	Nathana
5	131	29.09.2018	458, 307, 324, 148, 149 IPC	Rampura City
6	57	19.05.2020	457, 380 IPC	City Rampura

4. The facts and allegations are being taken from translated copy of FIR, which reads as follows:

“Chief Officer In-charge, Phool Fateh. Today I, along with ASI HC Randhir Singh 1206, HC Surjit Singh 263, HC Kewal Singh 1599. PHG Narinder Singh 22221, PHG Sukhbir Singh 22446 were on private car and laid a blocked nearby T-point Mehraj Road, TPD College, Rampura Road, Full Town. An informant came to ASI and told that Sondeep Singh alias Sonu, son of Gurtej Singh, caste Mahjbi Sikh, resident of Kothe Maha Singh Wale. Jagdeep Singh son of Darsan Singh, caste Mehjbi Sikh resident of Kothe Maha Singh Wale Mehraj, Lovepreet Singh alias Lota son of Kuldeep Singh, caste Mehjbi Sikh resident of Mandi Kala, who commit thefts and snatch valuables such as mobile phones from passerby people, and now they have coordinated with Kalwinder Singh son of Satpal Singh, cast Pundit resident of Takhtpura, police station Nihal Singh Wala, District Moga, Jogi Nagar, Bathinda, and his wife Harmanpreet Kaur to keep the stolen goods. And alongwith with them, they steal and loot people's goods by snatching them and later they keep the same to the house of the above Kulwinder Singh.

Even now, these four persons and a woman are coming on foot towards Rampura city and Phul near the Vishwakarma temple. If they are raided now, then all these stolen and snatched goods can be caught red-handed. The information is reliable. The crime of the above-mentioned Sadeep Singh alias Sonu Jagdeep Singh, resident of Mehraj Lovepreet Singh alias Lota, resident of Mandi Kala, Kulwinder Singh and his wife Harmanpreet Kaur, resident of Takhtupura, etc. fulfills the description of offence under

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sections 379 B/379/411/34 IPC. Therefore, the Ruka with regards to above-mentioned crime is written against the accused and sent the same to the police station through HC Kewal Singh for registration of FIR. The number of the FIR should be informed after its registration. I, ASI along with his fellow employees have been going to conduct the raid and recovered the goods from the place Rampur aroad disclosed by the informer. The information should be sent to officers and the Area Magistrate and a special report should be issued. The DCR should be informed through W/M. Sd/-Amritpal Singh ASI PS Phul Date 15-8-16 Today Near TPD College Phul Town AT 00.40 AM On receiving ruka the case against the above mentioned accused is registered and the details above mentioned case is being recorded. The copy of the FIRs is being prepared as special reports is being sent to the the Honorable Area Magistrate and officers. The original Rukka along with case file is being sent through HC Kanwal Singh 1599 to SI Amritpal Singh 971 FIR DDR 5 At 2-12 AM.”

5. The petitioners’ counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioners and their family. Counsel further submits that the petitioners would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioners repeat the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioners shall have no objection.

6. The State’s counsel opposes the bail.

REASONING:

7. There is sufficient prima facie evidence connecting the petitioners with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing.

8. Per paragraph 3(v) of the status report (in CRM-M-12666-2025) petitioner-Lovepreet Singh is in custody since 15.01.2024 and accordingly his custody in this FIR is 01 year & 06 months. However, per custody certificate dated 24.07.2025, his total custody time is 04 years, 07 months & 30 days. As per custody certificate dated 01.08.2025 (in CRM-M-14912-2025) petitioner-Jagdeep Singh’s custody in this FIR is 01 year & 28 days.

9. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the

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prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

10. 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.

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

12. 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)	

13. This order is subject to the petitioners' complying with the following terms.

14. The petitioners shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioners shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

15. It is clarified that if the petitioners violate any bail condition, the State and/or the victim may file an application for bail cancellation before the trial court, which shall be competent to cancel the bail or add more conditions. Furthermore, if the petitioners move for deletion or dilution of any bail conditions, the trial court is empowered to do so.

16. The significant consideration for granting bail is that the Court aims to give the petitioners another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioners also abide by the assurance made on the petitioners' behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

17. This bail is conditional, with the foundational condition being that if the petitioners repeat the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to

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revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

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

19. 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.

20. **Petition(s) allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

02.08.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.