



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-14212-2025

Reserved on: 7th August, 2025

Pronounced on: 12th August, 2025

Kuldeep Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ashok Kumar Khunger, Advocate for the petitioners.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners seeking grant of regular bail in case bearing FIR No. 125 dated 03.12.2024 registered under Sections 140(2), 331(4), 351(3), 61(2) and 319(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Khui Khera, District Fazilka.

2. The aforementioned FIR was registered on the basis of the complaint recorded by the complainant Kulvir Singh alleging therein that on the night of 02.12.2024, he was sleeping in his house along with his family members when some unknown persons scaled the boundary wall of the house, entered inside, and called for his son, Sarabjit Singh. On hearing so, the complainant woke up his son and told him that someone had come there.



When they came out of the room, they found three persons standing there in police uniform and one person in civil dress. They told the complainant that a complaint had been lodged against Sarabjit Singh and they would take him along with them. They took the signatures of Sarabjit on some papers and tried to take him along with them. The complainant raised an alarm but, in the meanwhile, they managed to take his son away in an *Innova* vehicle. The complainant called the village Sarpanch and, on making inquiries, it was revealed that the persons who had taken his son were not the police officials. On the next day, a call was received by the complainant whereby ransom money to the tune of Rs. 50,00,000/- was demanded by some unknown person. Thereafter, further calls were received. The complainant, as such, prayed for taking legal action in the matter. After registration of the FIR, investigation proceedings were initiated. The petitioners were nominated as accused. The victim was recovered from their custody on 04.12.2024. The accused were formally arrested. Presently, they were facing trial for the commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. They were not named in the FIR. In fact, the petitioners were known to Sarabjit Singh, son of the complainant, and he had voluntarily gone with them. He has even sworn an affidavit on 06.02.2025 to that effect. Now the complainant as well as his son have been examined before the learned trial Court and they have not supported the prosecution version. Trial is likely to take time to conclude. Their further incarceration would not serve any useful purpose. It is, therefore, urged that



they deserve to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioners, they do not deserve to be released on bail.

5. Learned counsel for the complainant has however stated that the complainant has no objection, if the petitioners are released on bail.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioners are alleged to have criminally trespassed into the house of the complainant on the night of 02.12.2024 and are further alleged to have abducted his son and criminally intimidated the complainant and his family members. They are in custody since 04.12.2024. The complainant and the victim have since been examined as PW-1 and PW-2 before the learned trial court. Copies of their sworn depositions have been placed on record as PW-4 and PW-5, respectively. A perusal of the same reveals that neither the complainant nor his son, implicated the petitioner in the subject crime, and both denied that the victim Sarbjeet, was abducted by any person at any point of time or that the petitioners had abducted him. Trial will take time to conclude as several other witnesses are yet to be examined. Keeping in view the period spent by the petitioners in custody, the nature of the evidence which has come on record in the form of testimonies of PW-1 and PW-2 and the attendant facts and circumstances but without meaning to make any comment upon the merits of the case, lest they prejudice the trial but the petitioners deserve to be released on bail.



Accordingly, the petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

12th August, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |