

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

Sr. No.: 212

Criminal Miscellaneous No.M-33270 of 2025**Date of Decision: July 07, 2025**Simranjit Singh

..... PETITIONER(S)

VERSUSState of Punjab

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**PRESENT:** - Mr. Vishal Goel, Advocate, for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (Oral)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail to the petitioner in FIR No.17 dated 30.03.2025 under Sections 223 of Bharatiya Nyaya Sanhita, 2023 and Sections 25, 27 of Arms Act, 1959 registered at Police Station, Chitiwind, District Amritsar.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Kanwaljit Singh son of Mahinder Singh resident of village Manawala Khurd, Tehsil and District Amritsar aged about 36 years. I would like to state that I am resident of above noted address and I had contested the election of Member Gram Panchayat Manawala Khurd, Tehsil and District Amritsar and I was declared winner candidate in this election and presently I am Panch of the village. After declaring me as winner in the election, some residents of the village namely Gurdev Singh son of Daljit Singh in connivance with others, have quarrelled to me as they were having grudge against me and they also abused me. When I was declared as winner candidate, then they also made fires with the aim to kill me. I have made video recording and also clicked photographs of this incident, which are with me. I have already filed case in the Hon'ble Punjab and Haryana High Court, Chandigarh in which I had enclosed the said video in pen-drive and photographs and also given one copy of the Photographs and Pen-drive of video to the Incharge, Police Post Daburzi Police Station Chatiwind. They also installed camera with the government electricity pole and whenever I came out of the house, said person use to do my Recky and his associates namely Ramesh Singh son of Mahinder Singh and Sukha Singh son of Arjan Singh Ravi, Banti sons of Sucha Singh, heera Singh son of Karnail Singh, Sandeep Singh son of Avtar Singh and some unknown persons have given threats to kill me. After said threats, I had given a written complaint dated 18.10.2024 to the Hon'ble Senior Superintendent of Police, Amritsar Rural but no action was taken on the said complaint and despite of giving complaint by me against the said persons, they did not mend their ways and kept on threatening me. I and my family have apprehension to our life and liberty at



their hands. Thereafter I have file a case No. 1239 of 2025 in the Hon'ble Punjab and Haryana High Court, Chandigarh. On 23.02.2025 at 08:24:53, I along with my nephew Anavdeep Singh son of Sh. Ramandeep Singh, resident of Manawala Khurd, were coming after selling milk, then Gurdev Singh, Ramesh Singh son of Mahinder Singh, Sukha Singh son of Arjan Singh, Ravi, Buntty sons of Sucha Singh, Heera Singh son of Karnail Singh, Sandeep Singh son of Avtar Singh came in two cars and they tried to kill me and my nephew and have intentionally hit their car in our motorcycle, we hardly saved ourselves. In this regard a complaint bearing Dairy No. PB202502230010111 given on helpline No. 112 to the Senior Superintendent of Police, Amritsar Rural but no action is taken on the said complaint. Now the Hon'ble Punjab and Haryana High Court, Chandigarh vide order dated 17.03.2025 directed to take legal action against the above said persons. As per the order of Hon'ble court, the action be taken against the above said persons. I have got my statement recorded as per my own free will and wishes and without any pressure. I have heard it, same is correct. Sd/- Kanwaljit Singh, dated 30.03.2025. Police proceedings:- Today myself ASI was present in the Police Post then Ramandeep Singh son of Mahinder Singh resident of Manawala Khurd came present in the Police Post and he has presented the statement of his brother Kanwaljit Singh son of Mahinder Singh resident of Manawala Khurd which is signed by him in Punjab along with pen-drive of video and photographs to me. I have carefully checked the said video and photographs. Myself ASI along with SI Kashmir Singh No. 676/Amritsar-R and LR/ASI Sukhraj Singh No. 404/ASR-R reached at the spot and verified the facts and it has found that on 15.10.2024 at around 07.30 PM, the boy who is armed with pistol in the photographs and video, his name is Simranjit Singh @ Simma @ Billa son of Jasbir Singh resident of Patti Baba Jiwan Singh Sultanwind. During inquiry, no proof is found against Ramesh Singh son of Mahinder Singh, Sukha Singh son of Arjan Singh Ravi, Banti sons of Sucha Singh, Heera Singh son of Karnail Singh Sandeep Singh son of Avtar Singh residents of Manawala Khurd. Earlier this fact was not mentioned in the complaints given by complainant Kanwaljit Singh and now he has mentioned about it in his statement. On watching of video, photographs, verification conducted by me, offence under section 223 of BNS and section 25/27-54-59 of Arms Act is made out against Simranjit Singh @ Simma @ Billa son of Jasbir Singh resident of Patti Baba Jiwan Singh Sultanwind for showing pistol in air during Panchayat elections and giving threats. During investigation, if evidence is found against any other person, then action will be taken accordingly. The statement is being sent to the Police Station by the hand of LR/ASI Sukhraj Singh No. 404 for registration of case, after register case, number of the same be intimated. The officers be intimated through wireless. After issuing special reports, the same be sent to the senior officers and Ilaqa Magistrate. Sd/- Harpal Singh, ASI, Incharge, Police Post Chatiwind, dated 30.03.2025 Police Post Daburzi at 08.40 PM."

3. Contention

On behalf of the petitioner

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the FIR without having committed any offence, on the basis of a concocted story put forth by the complainant, being in possession of a

CRM-M-33270-2025

[3]

Pistol. However, no injury has been caused to any person by the petitioner. He is not involved in any other case.

On behalf of the State

Short reply by way of an affidavit of Lakhwinder Singh, PPS, DSP, Sub-division, Attari, Amritsar, filed in Court today is taken on record. Copy supplied to counsel opposite. Registry to do the needful.

Mr. J.S. Rattu, DAG, Punjab submits that granting of anticipatory bail to the petitioner will defeat the right of the police to properly investigate the case wherein the recovery of pistol is yet to be effected. Thus, custodial interrogation of the petitioner is necessary to unearth the true facts.

4. Analysis

Be that as it may, considering the fact that the petitioner is not a habitual offender and not involved in any other case of similar nature; the only allegation is of being in possession of a pistol during the course of Panchayat elections; added with the fact that, no injury has been caused to any person by the petitioner, and he is ready to join the investigation, therefore, his custodial interrogation is not required.

5. Relief

In the light of above, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-



- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section. ’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
Judge

July 07, 2025
avin

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No