

2025.PHHC:079044



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

**CRM-M-34232-2025
DECIDED ON: 04.07.2025**

SANTOKH SINGH**.....PETITIONER****VERSUS****STATE OF HARYANA****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Ramandeep Singh Brar, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.134, dated 13.06.2025, under Sections 318(4), 308(2) of BNS, 2023, registered at Police Station Kalanwali, Dabwali (Annexure P-1).

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

“To the DSP, Kalanwali, Sir, It is requested that I Jagdish Rai, son of Balwant Rai am a residing in Mandir Wali Gali, Ward No. 5, Mandi Kalawali. I stay at home and am a heart patient. On 10.05.2025, I along with my son Joginder Pal, were going to Sirsa in my car to get my medicine. When we were on the Taruana Road, a police Bolero vehicle was standing in front of us. They stopped us and searched our car. When they found nothing in the car, they made my son sit in the

back seat of their car and drove the car themselves, bringing us to the CIA Police Station, Kalanwali. They made me sit outside and took my son inside, where they started threatening him. Then they made us sit in the car and took us home. They searched the house but found nothing. They searched the adjoining cattle shed where there is a latrine constructed. From there, they recovered three cartons of medicines. They put these in their car and took my son in the car. When we tried to find out about our son, we spoke to our acquaintance, Gursewak Singh, a resident of Lakkarwali that his acquaintance works at the CIA Police Station, and we found out that they were demanding money. They demanded ten lakh rupees and said that if we did not give the money, they would put drug powder on my son, claiming 1 kilogram, and file an NDPS case against him. I spoke to my son, Shindu. Shindu said that Gursewak Singh stated that they would file an NDPS case against Joginder and that if we wanted to save him, we should give the money. I spoke to my son-in-law, Mohan Lal, about the money. He said he had three lakh rupees and I asked him to get one lakh rupees by giving him a gold chain. In total, we collected 650,000 rupees. My son, Shindu, gave it to Gursewak Singh. It was around 12 noon. About half an hour later, Gursewak Singh told Shindu that the rest of the CIA staff were demanding another one lakh rupees, saying that this money had to be given to the DCO (Drug Controller). They also said that if we didn't give the money, they would seal our house, shop, and cattle shed. Before giving the money, I asked Gursewak to let me speak to my son, Joginder Pal, but Gursewak did not allow us to speak to Joginder. My son, Shindu, gave another one lakh rupees to Gursewak to get his brother, Joginder, released. However, my son, Joginder Pal, did not come home on 10.05.2025. Gursewak Singh took 250,000 rupees from us but did not release my son, Joginder, from the CIA Staff Kalanwali on 10.05.2025, nor did he let us speak to Joginder that day. I humbly request that justice be served because we gave 750,000 rupees to Gursewak Singh to get my son, released from the CIA Staff Kalawali. I also request that the money be returned to us and that this

application be investigated, and appropriate legal action be taken against anyone found guilty. I shall be thankful to you”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of disclosure statement suffered by main accused Gursewak Singh. He further submits that the petitioner is an electrician and has no concern with the main accused Gursewak Singh, who has already settled the dispute with the complainant, which has been reduced into writing vide compromise deed dated 20.06.2025 (Annexure P-2) with the complainant. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Chetan Sharma, DAG Haryana, accepts notice on behalf of respondent/State. He does not controvert the submissions made by learned counsel for the petitioner.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially the fact that the main accused Gursewak has already entered into an amicable settlement with the complainant, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, 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. 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, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

04.07.2025
Sham

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