

CRM-M-35661-2025
CRM-M-36444-2025

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

CRM-M-35661-2025
Reserved on: 01.09.2025
Pronounced on: 12.09.2025

Satnam Singh @ Manga ...Petitioner

Versus

State of Punjab ...Respondent

CRM-M-36444-2025

Surjeet Kumar @ Surjit Sharma ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Navjot Singh, Advocate
for the petitioner (in CRM-M-35661-2025).

Mr. Mohit Sadana, Advocate
for the petitioner (in CRM-M-36444-2025).

Mr. Jasdev Singh Thind, D.A.G., Punjab.

Ms. Varsha Sharma, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0008	16.01.2025	Khanauri, District Sangrur	327, 341, 506, 452, 448, 149 IPC

1. Vide this common order, CRM-M No.35661 of 2025 and CRM-M No.36444 of 2025 are being disposed of. For brevity, the facts are being taken from CRM-M No.35661 of 2025.

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 status report filed by State counsel, the petitioner- Satnam Singh @ Manga has the following criminal antecedents:

Sr.No.	FIR No.	Dated	Offences	Police Station
1.	254	28.09.2011	279, 337, 427 IPC	Khanauri

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

“To The Worthy Director General of Police, Punjab, Punjab Police (Hq.), Sector-9, Chandigarh Subject: In the matter of CWP No.20975 of 3022 titled as M/s Goyal Agriculture Works vs. State of Punjab and others, for getting conducted an independent inquiry into complaint dated 12.09.2022 submitted by the applicant with SSP Sangrur, for restraining the office bearers and other unknown members/associates of M/s Guru Nanak Truck Union Khanauri Mandi District Sangrur from causing undue interference in the lawful business of applicant and not permitting him/his agents to use his own vehicles for transportation/his business purposes, which are not registered with their union and further threatening and pressurizing him/his agents to hire vehicles from them on specified rates and for protection of his/his agents life and liberty at their hands and the subsequent similar incidents committed by Surjit Sharma son of Chandu Ram (President), Jagseer Sharma son of Surjit Sharma (Member), Satnam Singh son of Atman Ram (Munshi) of aforesaid Truck Union and their other members/associates and necessary legal action against them for resorting to such illegal activities for compelling the applicant/his agents to meet their unjustified demands, in the interest of justice. Respected Sir, The applicant submits as follows:-1.That at the very outset, it is submitted that being aggrieved of the above stated illegal activities of office bearers/unknown members/associates of aforesaid Truck Union, earlier the applicant has approached the SHO, Police Station Khanauri, District Sangrur on his Mobile No.+91-8054545122 for reporting occurrence dated 10.09.2022, however, when no action was taken on his complaint, thereafter he has submitted complaint dated 12.09.2022 via e-mail to Senior Superintendent of Police, District Sangrur, but when the situation remained unchanged, then thereafter he had approached Hon'ble Punjab and Haryana High Court Chandigarh by way of filing CWP No.20975 of 2022 titled as M/s Goyal Agriculture Works vs. State of Punjab and Others, wherein the Hon'ble High Court has passed following order on 14.09.2022: Learned counsel appearing on behalf of the petitioner inter alia contends that respondent No.2 to 4 are not taking any steps against the high handedness displayed by respondent No.5 which is a Truck Union and their office bearers who are not allowing the petitioner to carry on uninterrupted trade. The private respondent No.5 defrayed the tyres of the transport as engaged by the petitioner and caused harm to the goods as well as the mode of transport. He contends that specific regulations already stand notified by the respondent-State of Punjab to prevent cartelization in such matters and that the official respondents, instead of ensuring operation of rule of law are mute spectators and thus promoting the illegal activities of respondent No.5. Notice of motion. Mr. Saurav Verma, Addl. A.G. Punjab accepts notice on behalf of respondents No.1 to 4. A copy of the paper book shall be handed over to the counsel to the learned State counsel during the course of a day. Process dasti as well. To come up on 23.11.2022, for further consideration...”True copy of above said complaint dated 12.09.2022 and order dated 14.09.2022 is annexed with present complaint as C-1 & C-2 respectively. 2. That grouse of the applicant is that despite the fact that he has already approached the SHO Police Station' Khanauri, District Sangrur as well as the Senior Superintendent of Police, District Sangrur for redressal of his grievances and the matter is pending consideration before the Hon'ble Punjab & Haryana High Court, Chandigarh for 22.08.2023, the fact situation remains unchanged and the applicant/his agents are still being harassed/threatened by the above named office bearers of

above said Truck Union and their unknown accomplices, for meeting their unjust demands.3. That the concerned police authorities instead of taking necessary legal action against the above named persons and their unknown associates for resorting to such illegal activities, are espousing their illegal cause by way of shielding them from legal action based on the purported sham inquiry conducted on the complaint dated 12.09.2022 made by applicant to Senior Superintendent of Police, Sangrur, that also forms basis of short reply got prepared by Deputy Superintendent of Police, Sub Division Moonak, District Sangrur on 28.03.2023, for the purpose of filing response on behalf of State Police Authorities in the above said CWP No.20975 of 2022, the perusal of which would reveal that the complaint made by applicant is filed in ignorance of the specific allegations levelled in the complaint supported with documentary (videography) evidence, on the basis of alleged non-disclosure of information by him and the statements made by office bearers of above said Truck union that they have not committed any wrong. As such, it leaves no doubt as regards the fact that the local police is hand in glove with, the office bearers/members/associates of above said Truck Union. Furthermore, in order to substantiate the allegations leveled the applicant has annexed copy of the reply dated 28.03.2023 and the photographs/video recording of the incident dated 09.09.2022/10.09.2022 herewith as C-3 & C-4, respectively, for your kind consideration. 4. That the police inaction against the above said persons has further led to increased harassment of applicant/his agents at the hands of above named persons and their other members/associates, which would be evident from the occurrence dated 09.05.2023 on which the members/associates of aforesaid Truck Union led by its incumbent President Surjit Sharma, have trespassed on the business premises of applicant and threatened him to not to operate his own vehicles for transportation/his business purposes, which are not registered with their union and further threatened/pressurized him to hire vehicles from them on specified rates, as encouraged from his use of his own vehicles the other business persons in market have also started using their vehicles, which is resulting in loss to the members of their Truck Union. True photographs and video clips captured in CCTV cameras installed in the vicinity that proves the occurrence dated 09.05.2023 are annexed herewith as C-5 & C-6 for your kind consideration. 5. That however, seeing that the applicant being undeterred by their threats is still operating his own vehicles for transportation/his business purposes, now they have started following him. At this time it is entered that myself HC alongwith C/Ct Rohtash Kumar -1793, am departing towards Khanauri, in connection with investigation of CRWP No: 448 of 2025, filed by Lovpreet Singh. I encircling his vehicles on the road and threatening his agents/drivers to face the consequences for working with him. The movement of their white colored swift car no.PB13-BM-6341 alongside vehicle of applicant as captured by one of the drivers of the applicant on his mobile phone, after one such incident dated 31.07.2023 whereby above said Surjit Sharma and others have threatened him, is annexed herewith as C-7 for your kind consideration. 6. That after the occurrence dated 31.07.2023, apprehending threat to their lives and liberty besides reporting the matter with local police, the applicant and other business persons of M/s Vishavkarma Truck Market have also observed a no work day and staged a protest against the illegal activities of above said persons and the police inaction in the matter, however to no avail, True copy of photographs/video clips of protest staged are annexed herewith as C-8 for your kind consideration. 7. That it is not out of place to submit here that in the past such deadlock amongst the truck union operators and businesspersons had resulted in many unfortunate incidents in different parts of the State of Punjab, wherein even lives of

innocent persons have been lost. Since, the office bearers and members of above said truck union are adamant on their illegal demands and resorting to illegal activities for making meet applicant and other businesspersons their unjustified demands, therefore, the applicant is constrained to approach your good self by way of present application, for protection of his/his agents life and liberty, smooth functioning of his business and legal action against them for committing such illegal acts. Hence, the present application. In view of the above, it is most humbly submitted that immediate necessary legal action may kindly be taken in the present matter, in the interest of justice. Thanking You, Your (s) Faithfully, Sd/-(Manoj Kumar) .”

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.

6. The petitioners’ counsel 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.

7. The State’s as well as counsel for the complainant oppose bail and refers to the status report.

8. It would be appropriate to refer to the following portions of the status report, which read as follows:

“C. THE ROLE OF THE PETITIONER.

The role of the petitioner Satnam Singh is that on 09.05.2023, accused/petitioner Satnam and his co-accused Jagjit Sharma were empty handed and co-accused Surjit Sharma armed with 32 bore revolver forcefully trespassed entering in the premises of M/s Goyal Agricultural Works shop of complainant and they put pressure upon the complainant to quit the truck union and not to operate drive the trucks truck, made attempt to extort money, surrounded surrounding him on the road and threatened threats to kill him and also attempted attempt to snatch the vehicles of M/s Goyal Agricultural Works So a specific is attributed to the petitioner in the commission of the present offence, having actively participated in commission of the offence being a member of the unlawful assembly.”

9. Per status report, the petitioner Satnam Singh was empty handed and petitioner Surjit Kumar armed with 32 bore revolver entered in the premises of complainant and threatened him but there is no allegation of petitioner Surjit Kumar firing from the revolver, thus petitioner(s) are entitled to bail.

10. 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.

11. Per the custody certificate dated 31.08.2025, the petitioners' total custody in this FIR is 03 months and 10 days.

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

13. 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. This order shall come into force from the time it is uploaded on this Court's official webpage.

14. Given above, provided the petitioner(s) 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 Ilqa 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.

15. While furnishing a personal bond, the petitioner(s) 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)	

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

17. The petitioner(s) 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.

18. Given the background of allegations against the petitioner(s), it becomes paramount to protect the victim, and their family members, as well as the members of society, and incapacitating the accused would be one of the primary options until the filing of the closure report or discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearm(s). [This restriction is being imposed based on the preponderance of evidence of probability and not of evidence of certainty, i.e., beyond reasonable doubt; and as such, it is not to be construed as an intermediate

sanction]. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days from release from prison and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case, provided otherwise permissible in the concerned rules. Restricting firearms would instill confidence in the victim(s), their families, and society; it would also restrain the accused from influencing the witnesses and repeating the offense.

19. The conditions mentioned above imposed by this court are to endeavor to reform and ensure the accused does not repeat the offense. In *Mohammed Zubair v. State of NCT of Delhi*, 2022:INSC:735 [Para 28], Writ Petition (Criminal) No 279 of 2022, Para 29, decided on July 20, 2022, A Three-Judge bench of Hon'ble Supreme Court holds that "The bail conditions imposed by the Court must not only have a nexus to the purpose that they seek to serve but must also be proportional to the purpose of imposing them. The courts, while imposing bail conditions must balance the liberty of the accused and the necessity of a fair trial. While doing so, conditions that would result in the deprivation of rights and liberties must be eschewed."

20. It is clarified that if the petitioner violates 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 petitioner moves for deletion or dilution of any bail conditions, the trial court is empowered to do so.

21. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides 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.

22. 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 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.

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

24. 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

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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.

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

(ANOOP CHITKARA)
JUDGE

12.09.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.