

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36792-2025
Reserved on: 17.07.2025
Pronounced on: 31.07.2025

Manjinder Singh alias Mani ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Gursharan Singh, Advocate
for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

Ms. Kamal Khurana, Advocate
for respondent No.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
52	17.04.2025	City Patti, District Tarn Taran	140(3), 191(3), 190 of BNS 2023

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 13 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are being taken from the order dated 23.05.2025 passed by the Additional Sessions Judge, Tarn Taran, which reads as follows:

“FIR in hand was registered on the statement of complainant Sandeep Kaur recorded on 17.04.2025 to the effect that she is working as steno at B.D.O. Office, Patti. She is having two children and her husband Mandeep Singh plies his own truck. On the above said date, she alongwith her husband had to visit bank due to some personal work and her husband made her phone call at about 03.31 P.M. that he was present at New Courts Complex Patti and he will pick her near Mahindra Agency, Tarn Taran road. She reached Mahindra Agency and started waiting for her husband. After some time, she saw her husband coming on the motorcycle from the side of the Courts, but in the meantime, one Verna car and

two motorcycles came from the side of Tarn Taran and the persons sitting in the car and riding the bike, started giving beatings to her husband and abduct him in the Verna Car and fled away from the spot towards Tarn Taran. Out of them, she recognized Vishal son of Gianjit Singh, Gola Singh son of Arjan Singh, Bunty resident of Tung, being known to her earlier. Later on, she came to know about the other accused persons as Rohit Masih son of George Masih, Raja resident of Shahabpur, Money resident of Jodhpur and Janta Balwan alongwith five/six unknown persons, in connivance with each other abducted her husband Mandeep Singh after giving him beatings. The motive of abduction was quarrel at the village between accused Bunty with their brother in law. Chamkaur resident of Tung and participation of her husband in the said quarrel for patching up the matter.”

4. The petitioner’s Counsel submits that the matter stands compromised with all the victims.

5. The victims’ Counsel also admits the factum of compromise and states that they have no objection to the petitioner’s bail.

6. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. Counsel further submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats 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 petitioner shall have no objection.

7. The State’s counsel opposes bail on instructions from the investigating officer.

REASONING:

8. Because of no objection to the bail by the victim(s), this Court is inclined to grant bail with clarification that this bail on compromise shall not amount to the acceptance of compromise by the prosecution or the Court.

9. Given the compromise, the penal provisions invoked 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 custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

10. The petitioner's bail shall not be treated as a precedent for granting bail to other co-

accused, if any.

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

12. While furnishing a personal bond, the petitioner 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 petitioner’s complying with the following terms.

14. The petitioner is directed to join the investigation as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

15. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner 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.

16. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

17. 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 petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

18. This bail is conditional, with the foundational condition being that if the petitioner repeats 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.

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

20. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner 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.

21. Petition allowed in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

31.07.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.