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

**CRM-M-43392-2023(O&M)
Date of decision:-27.01.2025**

SIMRANJIT SINGH ALIAS SIMRA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Sanjay Kaushal, Sr. Advocate with
Ms. Pawelpreet Kaur, Advocate for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

Mr. Vikramjeet Singh Mahal, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

CRM-46014-2024

1. The instant application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)/439 of Cr.P.C read with Section 438 Cr.P.C is for grant of interim bail for 10 days to the applicant-petitioner.
2. Learned Sr. counsel for the applicant-petitioner does not want to press the instant application at this stage.
3. Accordingly, the application stands dismissed as not pressed.

CRM-M-43392-2023

The instant petition has been preferred by the petitioner under



Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1) :-

FIR No.	Dated	Sections	Police Station
196	26.11.2022	364 IPC (364-A, 302, 201 IPC added later on vide Rapat No. 31 dated 17.12.2022 and 120-B IPC	Kotbhai, District Sri Muktsar Sahib

2. Brief facts of the case are that the complainant Sukhdev Singh had recorded his statement stating that on 25.11.2022 at about 12 O' clock his son Harman Singh aged about 20 years had told his grandmother Ranjit Kaur that he is going towards the school ground to see games. After some time when Harman Singh did not come back on this Harman's mother Sukhpreet Kaur called on his mobile phone but the same was found to be switched off. Complainant searched his son in the school ground as well as the surroundings but did not find him. Complainant called again and again on his son's phone, at 4:45 the phone was connected and some unknown person attended the phone and informed to go to gym room at village Chhatteana Road where a white cloth is lying at its roof, you may check it and you will know about your son. Complainant alonwith Gora Singh reached the gym and found white cloth alongwith a letter in which ransome of ₹30,00,000/- was asked to release his son. On these allegations FIR was registered.

3. During investigation, statements of Jagjit Singh @ Kaka and Sarabjit Singh @ Sarba have been recorded on 26.12.2022 (Annexure P-2 and P-3) respectively. In his statement Jagjit Singh has stated that on 20.11.2022 he visited stadium of Village Kot Bhai where he saw Navjot Singh @ Jyoti, Gursharan Singh @ Yadi, Simranjit Singh @ Simra and



Manjit Singh, were talking with each other about opening an IELTS center but did not have money. Gursharan Singh @ Yadi told them to kidnap someone, then Simranjit Singh @ Simra told that Sukhdev Singh @ Sukha is having lot of money and have two harvesting combine machines and had only one son namely Harman Singh and they will kidnap him. On 25.11.2022 Harman Singh was kidnapped and on 17.12.2022 his dead body was found. When police had arrested some of the assailants, he got courage and recorded his statement mentioning above aforesaid persons alongwith Jagmeet Singh @ Munsu, Manjeet Singh @ Gagu, Manpreet Singh @ Peeta and Lalu Singh to have kidnapped Harman Singh and killed him on not receiving the ransom money and buried his dead body in the land of Gursewak Singh @ Mithun.

4. In his statement Sarabjit Singh @ Kaka has stated that on 25.11.2022 he was going to Rajasthan to meet his relative and was waiting for bus at about 12-12:30 at Bathinda chowk, Malaut then Jagmeet Singh @ Munsu, Manpreet Singh @ Peeta, Mandeep Singh @ Gagu, Parminder Singh @ Lalu were standing alongwith motorcycle bearing No. PB03BC8834 and after sometime a car bearing No. PB04AD8648 Swift Dzire came and stopped near them and Navjot Singh @ Jyoti was driving the same and Simranjit Singh @ Simra, Manjit Singh, Malkit Singh and Harman Singh were sitting in the car and upon reaching there Navjot Singh @ Jyoti had signalled Jagmit Singh @ Munsu to move the car towards Abohar road. When he came back to the village he came to know about kidnapping of Harman Singh and on not receiving of ransom money the kidnappers killed him and buried his dead body in the land of Gursewak Singh @ Mithun. He knows



all the persons as he usually visits his Maternal house at Village Kot Bhai and is a kabaddi player and played matches in many villages and some of the above persons are also Kabaddi players and he had full faith that the above said assailants had kidnapped and killed Harman Singh and buried him.

5. It is *inter alia* contended by learned Senior counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case. He contends that there is no specific overt act attributed to the petitioner nor has he participated in the alleged crime as has been alleged by the prosecution and he is in custody since 26.12.2022. He contends that after completion of investigation challan has already been presented in Court. He contends that conclusion of trial will take sufficient long time, hence prayed for grant of bail to the petitioner.

6. Per contra, learned State counsel assisted by learned counsel for the complainant have opposed the bail application by referring to the reply submitted by the State and contends that there are specific allegations against the petitioner and co-accused of having kidnapped Harman Singh, minor son of the complainant for ransom and took him to the house of the co-accused Gursewak and killed him by strangulating using data cable and buried the dead body of the deceased in agricultural land of Gursewak Singh. They contend that petitioner has actively participated in the crime, as such he is not entitled for concession of regular bail.

7. After considering the rival contentions and perusing the record, it transpires that as per allegations levelled in the FIR registered at the instance of Sukhdev Singh on the allegations that on 25.01.2022 while his



son aged about 20 years had gone to school ground for watching games, he did not return back and was abducted by some unknown persons who demanded ransom of ₹30 lakhs, the instant case was registered and during course of investigation thereof, petitioner alongwith 15 co-accused were arrested. Consequent upon recovery of the dead body of the son of the complainant the offences under Section 302, 201, 212, 216, 364-A, read with 120-B IPC were added.

8. It is evident from record that there are specific allegations against the petitioner and co-accused of hatching the criminal conspiracy of abducting the son of the complainant for ransom and thereafter killed him by strangulation using data cable and disposed of the body of the deceased in the agricultural land of the co-accused. So considering the nature and gravity of the offence, no case is made out in favour of the petitioner for grant of regular bail at this stage, as a consequence, the petition is hereby dismissed.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

27.01.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No