

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39442-2025
Reserved on: 07.08.2025
Pronounced on: 19.08.2025

Baldev Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. H.S. Batth, Advocate,
for the petitioner.

Ms. Pooja Nayar Sharma, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
5	20.01.2025	Sadar Rampura, Distt. Bathinda	140(3), 304, 221, 127(2), 351(2), 190, 191(3), 132 BNS

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. As per paragraph 10 of the bail application and as per paragraph 5 of the status report, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Dated	Offenses	Police Station
1.	6	01.01.2025	109, 132, 221, 285, 191(3), 190 BNS	Sadar Rampura
2.	18	26.03.2025	126 (2), 127(2), 132, 221, 191(3), 190 BNS	Sadar Rampura
3.	71	19.07.2021	61/1/14 of Excise Act, Sec- tions 353, 186, 341, 201, 149 IPC	Sadar Rampura
4.	76	14.11.2024	126(2), 190, 221 BNS	Sadar Rampura

3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

“3. That the present FIR has been registered on the basis of statement of complainant Gurlal Singh Ex-Patwari to the effect that he has retired as Patwari from the Revenue Department of Punjab State. Now as per the instructions of the Revenue Department of Punjab Government, he is working on contract basis to maintain the record of Murabbabandi of village Jeond. In pursuance of the orders of Hon'ble Punjab and Haryana High Court Chandigarh in CWP No.239 of 2020 and COCP No.3871 of 2023, District Magistrate of Bathinda has passed orders, in pursuance to which he alongwith Tejwinder Singh Sewadar, Gurbax Singh, Ex. Patwari

and Naresh Kumar Surveyor DGPS machine, were doing Haddbandi of village Jeond in the area adjoining to the village Jaid. At about 09:30 A.M., President of Kisan Union Ugraha namely Joginder Singh, leaders Jhanda Singh, Baldev Singh, Buta Singh, Gurjant Singh and Gulab Singh came from the side of village Jeond on a Balero Pickup vehicle, on which flag of Kisan Union and a speaker were fitted. 10 to 15 more vehicles in which there were 60/70 persons also came at the spot and they blocked the road from village Kararwala to Jeond with their vehicles. President Joginder Singh, Jhanda Singh, Baldev Singh, Buta Singh, Gurjant Singh and Gulab Singh alongwith 60/70 workers of the Kisan Union came near them while raising slogans. They asked them to stop the work of Haddbandi and then at the instance of their leaders, the workers threatened them and forcibly made them to sit in a vehicle which was having speaker. They also snatched the DGPS machine and mobile phones from them and forcibly took them near Gurudwara Sahib of village Jeond in a jeep. They kept them hostage for about half an hour. On requests being made by them, the said persons threatened them that in case, they again start the Haddbandi work, and then they will not be spared. Thereafter, they were released and their snatched articles were returned to them. The said persons have interfered in their official duty and violated the orders of Hon'ble Punjab and Haryana High Court. Based on this statement, this FIR was registered.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The petitioner's counsel 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.

6. The State's counsel opposes bail and refers to the status report.

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

“7.b. That there is direct evidence against the petitioner and co-accused. The petitioner and co-accused asked them to stop the work of Haddbandi and then at the instance of their leaders, the workers threatened them and forcibly made them to sit in a vehicle which was having speaker. They also snatched the DGPS machine and mobile phones from them and forcibly took them near Gurdwara Sahib of village Jeond in a jeep. They kept them hostage for about half an hour.

c. That the petitioner has the vital role. He is the mastermind of entire episode. The petitioner and co-accused committed serious offence of abducting the officials on public duty and snatching their mobile phones and thereby interfering in their official work and as such he does not deserve the grant of regular bail in the present case on account of the gravity of the offences and his bail application may be dismissed.”

REASONING:

8. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. As per paragraph 8 of the bail petition, the petitioner has been in custody since 05.04.2025. As per the custody certificate dated 06.08.2025, the petitioner's total custody in this FIR is 04 months and 01 day. 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.
9. 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. Given above, provided the petitioner is not required in any other case, the petitioner 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 Ilaqa 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.
11. 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) | |
12. This order is subject to the petitioner's complying with the following terms.
13. 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.
14. 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.
15. 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.

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

17. 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.

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

(ANOOP CHITKARA)
JUDGE

19.08.2025

Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.