



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-39521-2025

Reserved on: 28th August, 2025

Pronounced on: 11th September, 2025

Toni Ghuman

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jupinder Pal Singh Brar, Advocate for the petitioner.

Mr. Durgesh Garg, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 105 dated 10.06.2025 registered under Sections 308(2), 127(2), 115(2) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Cantt., District Bathinda, Punjab.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Gurpal Singh alleging that he was engaged in the business of online sale of air tickets. Accused- Rajwinder Singh was also involved in the same business. In the morning of 07.06.2025, he received a call from Rajwinder Singh to come to meet him in connection with purchase of some air tickets. On his asking, the complainant had gone to Bathinda, wherein Rajwinder Singh, who was present in an i20 car along



with the petitioner-Tonny and Ravinder made him sit in that car. He was wrongfully confined in that car. The bag kept by him containing the licensed revolver, 11 live cartridges and cash amount of Rs. 15,000/- and licence, ATM cards etc. had been opened by the co-accused Ravinder Kumar and Rajwinder Singh, demand of a sum of Rs. 3,70,000/- was raised by the petitioner and his cell phone and gold bracelet were removed by them. Thereafter, he was taken to some factory and was assaulted by the petitioner and the co-accused. Thereafter, they took him to some chamber of a lawyer unknown to the complainant at Sub-division Sherpur, District Barnala, wherein he was forced to sign some stamp papers. The accused-Ravinder Kumar by using google-pay account from his mobile phone withdraw an amount of Rs.40,000/-. It was only thereafter that his mobile phone, ATM card, revolver etc. were returned and he was left at village Handia. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bill, which has been dismissed by the Court of learned Additional Sessions Judge, Bathinda vide order dated 09.07.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of four days in lodging of the FIR. A false story has been concocted against him. The version of the complainant is highly improbable and unnatural. In fact, the complainant had handed over a fake and false Visa for Dubai to one Rajveer Kaur in February, 2025 by receiving a sum of Rs. 2,50,000/- in cash from her. In order to return money of Rajveer Kaur, he had transferred an amount of Rs. 40,000/- from his Google-pay in the account of above said Rajveer Kaur and



gave a sum of Rs. 30,000/- to her in cash. He had himself purchased a stamp paper cross signed by him admitting his mistake. Totally a false story has been concocted by him. No recovery is to be effected from him. His custodial interrogation is not required. He is ready to join the investigation. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab, that there are serious and specific allegations against the petitioner as he along with the co-accused had wrongfully confined the complainant in the car of accused Rajwinder Singh, had extorted money from him, had taken him to some place and had assaulted him by voluntarily causing injuries to him. It is argued that his custodial interrogation is required for conducting thorough investigation in the matter. The case is at nascent stage. No extra ordinary or sparing circumstance has even otherwise been made out for the purpose of extending benefit of bail to the petitioner. Bail petition of the co-accused Rajwinder Singh has been dismissed. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have wrongfully confined the complainant, extorted money from him after assaulting him, took away his bracelet and some live cartridges kept in his bag and caused injuries to him. The allegations against him are specific and serious in nature. In case his custodial interrogation is denied to the Investigating Agency, that will leave many glaring loopholes and gaps



thereby adversely affecting the investigation. It is also well settled that the Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

11th September, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*