

2025:PHHC:064373



CRM-M-43720-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43720-2024
Reserved on: 03.04.2025
Pronounced on: 29.04.2025

Taranjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Ramandeep Kaur, Advocate for
Mr. P.S. Bal, Advocate
for the petitioner.

Ms. Navreet Kaur Barnala, AAG, Punjab.

Ms. Ruchi Sekhri, Advocate (Through video conferencing)
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
69	28.03.2024	Samrala, Police District Khanna, District Ludhiana	177, 420, 506, 120B IPC and Section 67 of the Information Technology Act 2000

1. The petitioner, apprehending arrest in the FIR captioned above, came up before this Court for the second time under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [BNSS], seeking anticipatory bail. Earlier, the bail petition had been withdrawn by the petitioner for the reason that he had not disclosed his criminal history, and the petitioner was given liberty to file a second bail petition.

2. Now, in paragraph 9 of the bail petition, the accused declares the following criminal antecedents:

FIR No.	Date	Offenses	Police Station
16	15.02.2015	Section 15 of NDPS Act	Shambhu, District Patiala

3. The facts and allegations are being taken from the reply dated 11.09.2024 filed by



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the State, which reads as follows:

“That the brief facts of the case are that the present F.I.R no 69 dated 28-03-2024 was registered against Taranjeet Singh (present petitioner) and Roshan Bouncer on the basis of application no. PGD No. 257065 dated 03-11-2023 moved by the complainant Jagvir Singh before the SSP Khanna, briefly to the effect that he is the owner of the Jass Security Khanna Agency. The complainant further stated that the petitioner Taranjeet Singh along with co-accused Roshan Lal threatened the complainant with dire consequences through mobile phone and they also used to defame the business of the complainant by posting false stories on Facebook and Instagram and running an illegal security business without any approval or licence by the Punjab Government, due to which, complainant and his family members along with his workers working at Jass Security Khanna Agency faced mental agony as well as loss of his business.

4. That the above-mentioned application was inquired by the then Deputy Superintendent of Police, Detective, Khanna. The inquiry officer inquired about the matter and submitted the inquiry report vide report no. 273/5-C/Reader dated 29-12-2023 to the effect that:

I. That during the inquiry it transpired from the pendrive, photographs, and statement that the complainant Jagvir Singh doing his business under the name and style Jass Security Khanna by obtaining permission from the Government. It was also found that the petitioner Taranjeet Singh and Roshan Bouncer also running a security agency under the name and style Fateh Group without any licence and permission of the Government and violated the provisions of Punjab Private Security Agency Rules 2007.

II. That during the inquiry it was also found that Roshan Bouncer in connivance with the petitioner Taranjeet Singh defamed the complainant in society, abused the complainant on social media i.e. WhatsApp, Facebook, and Instagram, and threatened to kill the complainant.

III. It was recommended in the inquiry report to obtain a legal opinion from D.A (legal) Ludhiana for taking legal action against the petitioner Taranjeet Singh and Roshan Lal.

IV. Thereafter, a legal opinion from the District Attorney, Ludhiana was obtained who agreeing with the inquiry report of DSP recommended registering F.I.R U/s 177, 420, 506, 120-B IPC and section 67 IT Act against the petitioner Taranjeet Singh and Roshan Bouncer.

V. Thereafter, as per the legal opinion of the District Attorney, Ludhiana the present F.I.R (Annexure P/1) was registered against the petitioner Taranjeet Singh and Roshan Bouncer.



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5. That after registration of F.I.R., the investigation was set into motion, during the investigation accused Roshan Lal was arrested on 23-04-2024. On the same day, statement U/s 27 of the Evidence Act of accused Roshan Lal was recorded and mobile phone, uniform, shoes, and ID card were recovered from him.”

4. The petitioner's counsel made the following submissions: -
 - (a) Even if the security agency is unauthorized, it is the government's responsibility to take action; however, this cannot be grounds to deny bail.
 - (b) M/s Bhullar Manpower and Security Service did not commit any offence as alleged in the FIR.
 - (c) The petitioner's bail was rejected solely because he did not hand over the uniform to the investigator.
5. Petitioner's counsel further prays for bail and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.
6. The State's counsel, while opposing the bail, refers to para 11 of the reply and seeks dismissal of the petition. The counsel for the complainant also opposes bail, submitting that the petitioner was operating a fake agency without a license; as such, he is not entitled to bail.
7. It would be appropriate to refer to para 9 of the reply, which reads as follows: -

“ROLE OF THE PETITIONER

That the petitioner, Taranjeet Singh, in connivance with co-accused Roshan Lal, is alleged to have deliberately disseminated false information with the intent to tarnish the reputation of the complainant, Jagvir Singh, by using social media platforms such as WhatsApp, Facebook, and Instagram. The petitioner also abused the complainant publicly on these platforms. Moreover, the petitioner, along with his co-accused, engaged in deceitful practices by running an unlicensed security agency named "Fateh Group," without any legal authorization or license from the Punjab Government, in violation of the Punjab Private Security Agency Rules, 2007.

REASONING:

8. As far as the bail is concerned, perusal of the reply does not mention the steps taken to arrest the petitioner. It is not the case that the petitioner was a fugitive; the FIR relates to March 2024, and the co-accused was arrested on 23.04.2024. There was ample time for the police to arrest the petitioner, but this was not done. This means that if the police were, in fact, interested in arresting the petitioner, they would have done so because they also arrested the co-accused/Roshan. Be that as it may, this is not a case where pre-trial custodial interrogation is required or would be justified. Thus, this Court does not deem it



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appropriate to dismiss the bail petition only to permit custodial interrogation, which could have been done otherwise. As such, the petitioner is entitled to bail.

9. Given the 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. If the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilqa Magistrate/duty Magistrate.

10. This order is subject to the petitioner joining the investigation as and when called by the Investigator and also to appear in the Court as and when directed to do so. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

11. However, the matter should not be closed without addressing and discussing the most significant controversy that had already sprouted but only revealed itself from this FIR.

12. The relevant portion of the translated copy of the FIR, Annexure P-1, reads as follows,

“12. Application No. PGD No. 257065 dated 03.11.2023. To, Hon'ble S.S.P. Sahib, District Police, Khanna. Subject:- application for initiation of action against 1) Taranjit Singh alias Herry resident of village Godarpur, Tehsil Samrala, District Ludhiana, mobile no. 98777-xxxxx, 81988-xxxxx, 77106-xxxxx; 2) Roshan Bouncer, Doraha (Fateh Bouncer Security Group), mobile no. 98767xxxxx for 1) hurling of abuses and extending life threats on telephone; 2) hurling of abuses on whatsapp recording and extending of life threats; 3) hurling of abuses and passing of defamatory remarks regarding illegal business by becoming on-line on social media Apps i.e. facebook and Instagram account and by posting stories; 4) regarding making the recording viral in whatsapp groups; 5) uploading of photographs with weapons on facebook and Instagram openly; 6) consumption of narcotic substances i.e. opium etc. on facebook and Instagram.”

13. The paramount concern for this Court is the use of the word “Bouncer” in “Fateh Bouncer Security Group.”

14. Incidents like these highlight a disturbing trend where a particular segment of employers and employees, under the guise of a simple job description “Bouncer,” have started adopting a terrorizing and bullying role, becoming too comfortable donning an armor of hostility, aggression and subjecting the citizenry to indignity and humiliation at will, unafraid of any negative consequences, presuming themselves to have unfettered powers over the law.



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15. The State is also aware of how the term ‘bouncer’ is being used by security agencies to throw around their weight and exert their influence, as explicitly mentioned in this FIR. However, the State chooses to remain unperturbed, unconcerned, and, therefore, insensitive towards such an issue.

16. According to Merriam-Webster Dictionary¹ Bouncer is one that bounces: such as (a): one employed to restrain or eject disorderly persons; (b): a bouncing ground ball. According to the Oxford Dictionary, a bouncer is defined as a person employed to eject disorderly persons from a public place, especially a bar or nightclub.² The Cambridge Dictionary similarly describes a bouncer as someone whose job is to stand outside a bar, party, etc., and either stop people who cause trouble from coming in or force them to leave³, while the Collins English Dictionary defines the term as someone who stands at the door of a club, prevents unwanted people from coming in, and makes people leave if they cause trouble⁴.

17. The objective of the Private Security Agencies (Regulation) Act, 2005, is to provide for the regulation of private security agencies and matters connected therewith or incidental thereto.

18. It would be relevant to refer to the definitions of “private security agency” and “private security guard” from S. 2 of The Private Security Agencies (Regulation) Act, 2005, which read as follows:

§2(g) “private security agency” means a person or body of persons other than a government agency, department or organisation engaged in the business of providing private security services including training to private security guards or their supervisor or providing private security guards to any industrial or business undertaking or a company or any other person or property.

§2(h) “private security guard” means a person providing private security with or without arms to another person or property or both and includes a supervisor.

19. The Private Security Agencies (Regulation) Act, 2005, does not refer to security guards as “bouncers”.

20. The Security Agencies have to employ the Security Guards as per the Private Security Agencies (Regulation) Act, 2005, and in the State of Punjab, also as per the Punjab Private Security Agency Rules, 2007.

¹Bouncer’, *Merriam-Webster Dictionary*<<https://www.merriam-webster.com/dictionary/bouncer>

²Bouncer’, *Oxford Dictionary*<<https://www.oxfordlearnersdictionaries.com/definition/english/bouncer>

³‘Bouncer’, *Cambridge Dictionary*<<https://dictionary.cambridge.org/us/dictionary/english/bouncer>

⁴‘Bouncer’, *Collins Dictionary*<<https://www.collinsdictionary.com/us/dictionary/english/bouncer>



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21. The primary reason for engaging the services of a security agency or security guards is to ensure a safe and respectful space. In hotels and Bars, their job is to curtail disruptive conduct, respectfully stop uninvited people, and remove unruly people while respecting their boundaries and without compromising their dignity. They are hired because they are trained in rapid emergency responses, skilled at being hyper-vigilant in monitoring, controlling, and reporting any nuisance, threat, or criminal activity to the police or concerned authorities, and de-escalating potentially volatile situations to ascertain the well-being, safety, and security of those around. However, when these same employers or employees become miscreants, assuming themselves to be extra-constitutional authorities and taking pride in exuberant arrogance, using threats, intimidation, physical coercion, and brute force as weapons, it becomes a cause of grave concern for society.

22. Today, in this part of our country, using the term "Bouncers" for workers in security agencies is intended to serve a dual purpose; to invoke fear, anxiety, and terror in the mind of the public and to intimidate others. This, in any civilized setup, is impermissible, even for the State, especially in a democratic setup, and it is demeaning in the sense that it reflexively strips off any empathetic or humanistic qualities found in a person, leaving behind a degraded, damaged, negative, and robotic connotation, akin to slaves working on the whims and commands of their master. It reduces the respectable role of a trained security guard to that of an enforcer, who operates through confrontation and intimidation rather than respectful civil dialogue. Such agents or employees with their varied roles, titles, and descriptions including 'bouncers', are not above law or other human beings and are certainly not the enforcers of the law.

23. The concern is the passive endorsement of the term "Bouncer" by the State or the Executive, being oblivious as to what it has started to represent. It is beyond comprehension how the identity of a particular section of employees or workers can so restrictively be permitted by the State to be defined, named, or termed as a "Bouncer".

24. The role this Court has assigned to itself is to sensitize the Executive, and it is up to the State to take or not to take any steps to ensure that the term "Bouncer" is not used by any recovery or security agents or their agencies for their employees so that these security guards/personnel associate their respective roles with respect, dignity and responsibility and view their jobs in the right light, taking into consideration the civic duty, responsibility and accountability attached to such positions and not see themselves merely as people employed to showcase unwarranted muscle power and aggression, meting out humiliation and unjust, harsh treatment to innocent citizens.

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

(ANOOP CHITKARA)
JUDGE

29.04.2025

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Whether speaking/reasoned: Yes
Whether reportable: **YES**