

CRM-M-41702-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41702-2025
Date of Decision: 02.08.2025

Beant Singh @ Preet @ Baint Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Divya Gulati, Advocate
for the petitioner.

Mr. Akshay Kumar, A.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0055	29.04.2025	Fatehgarh Sahib	304(2), 204, 205, 308(7), 190, 191(3) BNS (Section 310(2), 111 BNS and 25/54/59 of Arms Act added later on)

1. The petitioner apprehending arrest in the FIR captioned above had come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. Per paragraph 16 of the bail petition, the petitioner has the following criminal antecedent:

Sr. No.	FIR No.	Dated	Offence	Police Station
1.	102	23.06.2025	310(2), 61(2), 111 BNS - and 25/54/59 of Arms Act (Section 310(2) added later on)	
2.	11	02.03.2025	308(2), 62, 3(5) BNS	Rawalpindi

3. The facts and allegations are being taken from the translated version of FIR, which reads as follows:

“Statement of Nasim Akhtar son of Abdul, resident of Arya College, Civil Line, Police Station Division No.8, Ludhiana, aged about 36 years, Mobile No.98153xxxxx. Stated that I am resident of above mentioned address and do the work of Sound and Light System, Ludhiana. One Cone of my known person Jaswinder



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Kumar alias Jassa son of Charanjit Kumar, resident of House No.5, GRD Nagar, Bhamian, Ludhiana who now lives in Hampton Home, Chandigarh Road, Ludhiana. That Jaswinder Kumar alias Jassa told me that I have seen a land in Fatehgarh Sahib which belongs to an NRI party. This said is available on very low rates and we can earn heavy profits. On this, I discussed this thing with my friend Prajal son of Naresh Kumar, resident of 981/21, Prem Nagar, Rohtak, Haryana, who told me that let us by this land. On this, We told Jaswinder Kumar that we both will take half-half share. Then we saw the land and we liked it, since we believed Jaswinder Kumar as such we did not enter into an agreement to sell qua the arranged said for land. On Rs.45-45 12.04.2025, lacs and we after putting the said money in two bags and reached Fatehgarh Sahib at the place of the land in village Sadde Majra. My father had taken loan from the bank qua the said land and in this regard, I will give you the records lateron. We both had come in our car an Jaswinder Kumar came in his Creta Car No.PB-10HK-5588 and when met around 2.30 pm, we reached the spot of the land in village Sadde Majra, where they found that there was an I-20 car was already parked there, in which two persons were sitting. When we reached there, Jaswinder Kumar took the bag containing cash from us. In the meantime, from behind one car XUV-500 No.CH-01AT/0575 came there, in which one person was sitting in police uniform and three other persons were also sitting. The said vehicle was having police sticker on the front glass and back glass. Jaswinder Kumar set in the said car alongwith two cash bags and while giving us threatening to kill, he went away in the car. Out of fear, we went back to our houses. Then we gave one complaint and then we started enquiring on our own level. That Jaswinder Kumar and 5-6 other persons in connivance with each other after taking us into confidence has committed a dacoity. That strict legal be taken against the said persons. Sd/ Narim Akhtar.”

4. 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 his family.

5. The State's counsel opposes bail.

REASONING:

6. Counsel for the petitioner submits that vide order dated 29.05.2025, the petitioner was granted regular bail by the JMIC, Fatehgarh Sahib in the present FIR. Now, new offences have been added in the present case due to which the petitioner is apprehending his arrest.

7. In the opinion of this Court, no purpose would be served by sending the petitioner again for custodial interrogation or pre-trial incarceration.

8. As petitioner was earlier granted bail, and as such, this court is inclined to grant bail subject to some conditions.

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9. Given the above, 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, subject to the compliance of terms and conditions mentioned in this order. 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 anticipatory bail in the FIR captioned above subject to same bonds.

11. This order is subject to the petitioner's complying with the following terms.

12. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and 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.

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

14. 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.

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

(ANOOP CHITKARA)
JUDGE

02.08.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.