



CRM-M-50117-2025

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

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CRM-M-50117-2025

Date of decision: 08.09.2025

Tarsem Singh @ Jaggi Singh

...Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Neha Shukla, Advocate for the petitioner.

Mr. Gurpartap S. Bhullar, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed on behalf of the petitioner seeking grant of anticipatory/pre-arrest bail under Sections 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'BNSS') in FIR No.0197 dated 17.08.2025 registered for offences punishable under Sections 308(2), 61(2) and 351(3) of the BNS, 2023 at Police Station Bhawanigarh, District Sangrur.

2. The gravamen of the FIR pertains to an incident which arises from the complaint of Sarabjit Singh @ Bittu, son of Gurcharan Singh, resident of village Balial, PS Bhawanigarh, District Sangrur, who alleged that his trucks are operated through Shri Guru Teg Bahadur Truck Union, Bhawanigarh. On the alleged day of occurrence, one of his truck bearing registration No. PB-13AM-8484, engaged under Shri Guru Teg Bahadur Truck Union, Bhawanigarh, was stopped and its registration was deleted from the Union by its President namely Jatinder Singh @ Vicky and committee members namely Binder Singh, Gurpreet Singh and Jaggi (petitioner herein). It was further alleged that when truck driver of the



complainant had gone, after loading the goods of Pepsi company from Pepsi warehouse, Banur to Khorda, District Cuttak Odisha, he received instructions from the Munshi of Truck Union namely Hardeep Singh to return the vehicle as he had loaded other goods in the truck. When the complainant sought clarification from the President and Committee members of the Truck Union, he was instead threatened. Thereafter, the President and others members, in connivance with each other, stopped the transportation of goods of the complainant and forced the complainant to pay Rs.41,000/- (Rs.21,000/- directly to the President in presence of the Sarpanch) for operating the truck. Furthermore, on 02.07.2025 the truck of the complainant had gone to Pune and Rs.1,32,000/- was received as freight charges but the complainant was given a cheque of Rs.1,12,000/- only and Rs. 20,000/- was unlawfully deducted. The complainant alleged that the President and the Union members routinely extort money from the truck owners through threats and he apprehends dangers to his life and property. Based on these set of allegations, the instant FIR was registered and investigation ensued.

3. Learned counsel for the petitioner has iterated that the allegations in the present FIR are vague, general in nature and without any specific role attributed to the petitioner. Learned counsel has further iterated that the complainant himself has alleged that the money was taken by co-accused Jatinder Singh @ Vicky Bajwa (President of the Union) in the presence of his father and the Sarpach whereas no direct allegation of extortion, receipt of money or threat has been made against the petitioner. According to learned counsel, the petitioner was only a Committee member of the Union with no prominent role in its internal functioning and has been falsely implicated due to factional rivalry with the Union as the complainant



was an ex-President having political and personal grudge against the present President. It is further submitted that a bare perusal of the FIR itself reveals that the allegations therein are vague and unsubstantiated having been levelled merely for the sake of making allegations without disclosing the commission of any cognizable offence by the petitioner. Learned counsel further asserts that nothing is to be recovered from the possession of the petitioner and, thus, his custodial interrogation is neither warranted nor justified. It is next submitted by the learned counsel that the petitioner is ready to join the investigation and hence no useful purpose would be served by sending him behind the bars. On the basis of the aforementioned submissions, the grant of the instant petition is entreated for.

4. *Per contra*, learned State counsel (on the strength of advance notice) has opposed the grant of anticipatory bail to the petitioner by arguing that the allegations raised against the petitioner are serious in nature. Learned State counsel has iterated that the present FIR discloses serious allegations of extortion, criminal intimation and abuse of position by the President and the Committee members of the Truck Union, including the petitioner. According to learned State counsel, the complainant has specifically stated that the accused persons, in connivance with each other, deleted his registration from the Union and compelled him to make unlawful payment under threats. It has been further iterated that the role of the petitioner is a part of larger conspiracy and his presence and participation cannot be ignored at this stage. The investigation is still in progress and the custodial interrogation of the petitioner may be necessary to unearth the full extent of the conspiracy, the involvement of other members and the *modus operandi* of such extortion practices within the Union. Therefore, it is



submitted that the present petition is devoid of merit and is liable to be dismissed.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. It emerges from the record that the petitioner alongwith co-accused, in connivance with each other, compelled the petitioner to pay an amount of Rs.41,000/- under threat of deleting his registration from the Union and further deducted Rs.20,000/- from his freight charges. The material on record *prima facie* reveals that the complainant has specifically alleged that the petitioner alongwith other Committee members acted in connivance with the President of the Truck Union to extort money and threatened the complainant with dire consequences. The allegations cannot be brushed aside as vague at this stage. The plea of political rivalry is a matter of defence which can only be adjudicated during the course of trial. The allegations in the FIR coupled with the investigation conducted so far, *prima facie* indicate a clear case of criminal conspiracy and extortion, in which the role of the petitioner as a Committee members cannot be segregated at this stage.

7. Furthermore, the investigation is still at a crucial stage and custodial interrogation of the petitioner may be necessary to unearth the full facts. The petitioner is yet to be arrested and the grant of anticipatory bail at this stage may prejudice the ongoing investigation. The apprehension expressed by the prosecution that the matter involves serious allegations of organized extortion from the truck operators also appears to be not without basis. Given the seriousness of the offence, the stage of investigation



coupled with the fact that the State has sought the custodial interrogation of the petitioner to unravel the full extent of the conspiracy, this Court is of the considered view that the petitioner does not deserve the concession of bail at this juncture. Moreover, in view of the serious allegations involving organized extortion and intimidation, the grant of anticipatory bail at this premature stage may seriously prejudice the ongoing investigation and potentially result in tampering with evidence or influencing material witnesses.

8. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. A profitable reference in this regard is being made to the dicta passed by the Hon'ble Supreme Court titled as ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Supreme Court held as under, relevant whereof reads as under:

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a



responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to establish a reasonable basis for the accusation of the petitioner. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation.

9. Accordingly, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand. Moreover, custodial interrogation of the petitioner may be necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby dismissed.

10. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

11. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

September 08, 2025
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No