



**102+226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-57490-2024

Date of Decision:25.09.2025

**SUKHBHINDERPAL SINGH GILL
Vs.**

...Petitioner

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Sukhdeep Singh Sidhu, Advocate with
Mr. Sohailbir Singh Sidhu, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Nitin Sherwal, Advocate
for the complainant.

H.S. GREWAL, J. (Oral)

CRM-38849-2025

This is an application filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023, for placing on record the challan form and some documents Annexure A-5 to A-11.

For the reasons mentioned in the application, CRM is allowed as prayed for.

Documents are taken on record subject to all just exceptions.

CRM-M-57490-2024

1. The present petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.393 dated 22.08.2024 under Sections 308 (2), 308 (4), 351, 61 (2) of BNS (later on added offence under section 25/54/59 of Arms Act), registered at Police Station City Barnala, District Barnala.

2. As per the prosecution version, the present FIR was registered on the basis of a complaint lodged by Heera Lal, alleging that the accused persons, namely Nirmal Singh @ Nimma, Sukhbhinderpal Singh @ Gill @ Gaggi (present petitioner), and Gurpreet Singh @ Gopi (presently residing in Canada), were involved in a criminal conspiracy to extort money from the complainant. It is alleged that the accused persons used a fake WhatsApp number to contact the complainant and demand ransom. In furtherance of this conspiracy, an amount of Rs. 5,00,000/- was received by accused Nirmal Singh @ Nimma, which was subsequently recovered from his possession at the time of his arrest. During investigation, two country-made pistols (.315 bore) along with two live cartridges was recovered from both accused Nirmal Singh and the present petitioner. The petitioner, during custodial interrogation, admitted to having conspired with his co-accused to extort money from the complainant, who is the proprietor of Singla Sanitary Store. Moreover, the vehicle used in the commission of the offence, bearing registration number PB-32W-0679, was found to be registered in the name of Kewal Singh, the father of the present petitioner, thereby establishing further nexus of the petitioner with the alleged offence. Thus, the investigation has revealed a clear and active role of the petitioner in the planning and execution of the offence, which includes conspiracy, extortion, and illegal possession of arms.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the recovery was effected from Nirmal Singh @ Nimma. The petitioner is in custody since 26.09.2024.

4. Notice of motion.

5. Mr. Rishabh Singla, AAG, Punjab accepts notice on behalf of the respondent-State. He has opposed the prayer made by the learned counsel for the petitioner. He has filed the custody certificate dated 24.09.2025 of the petitioner in the Court today and the same is taken on record. As per which, the petitioner is in custody for the last 11 months and 29 days, and the petitioner is a habitual offender and is involved in two other cases of similar nature. He further submits that the conclusion of trial will take long time for which the petitioner cannot be detained behind the bars for an indefinite period.

6. I have heard the learned counsel for the parties and perused the record.

7. Keeping in view the above facts that the petitioner is the one who attended the ransom call, there is no evidence on record to get the present petitioner connected to the crime, and complainant is the only witness who has examined till date. Persual of the zimni order shows that official witnesses are not appearing before the Court to depose as PWs and trial is being delayed on that account, in addition to the fact that the petitioner is in custody for more than 11 months and 29 days; and no witnesses apart from the complainant has been examined so far; the trial is moving at a snail's pace, therefore, the continuous detention of the petitioner would not serve the ends of justice, therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the

satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

(H.S. GREWAL)
JUDGE

25.09.2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

