

2025:PHHC:022353



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.62657 of 2024
Date of Decision: 15.02.2025
Reserved on: 05.02.2025

Baljit Singh ... Petitioner

Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Tejinder Pal Singh, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
136	23.10.2024	Dera Baba Nanak, Batala, District Gurdaspur	109, 111 and 308 (4) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (111 (5) and 112 of BNS added later on) and 25 of the Arms Act, 1959

2. Adumbrated facts as emanating from the record are that the aforementioned FIR had been registered on the basis of statement recorded by the complainant Randeep Singh alleging that on the evening of 23.10.2024, one unknown person had come to his medical shop and

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had called him outside. When he reached there, the said person took out a pistol and fired a shot with the same thereby hitting his left thigh. On rescue alarm being raised, he had managed to flee. He alleged that the attack was made to extort money from him as he had been receiving extortion calls. After registration of FIR, investigation proceedings were initiated. The accused Anmol Singh was nominated as such on the basis of a secret information. He was arrested. Some other accused were also arrested. Accused Anmol Singh suffered a disclosure statement on the basis of which the present petitioner had been nominated as an accused on the allegations that he was member of organized crime syndicate created for extorting money and acted as a medium to transfer money to the accused Jobanpreet Singh who was the main shooter in the occurrence. It was also revealed that he had received money from the bank account in the name of accused Anmol Singh through his own UPI scanner in the said account had been paid to the shooter co-accused Jobanpreet Singh. The petitioner was arrested and is in custody since 05.11.2024. Investigation qua him stands concluded.

3. It was argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR and has been implicated on the basis of disclosure statement of co-accused Anmol Singh which cannot be considered to be admissible in evidence. He is running a lawful business of money transaction. No specific overt act has been attributed to him. The ingredients for commission of offences under Sections 111 and 112 of BNS had not been made out as against him. There is history of only one time transaction of Rs.8000/- by use of scanner of the

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petitioner which was done in the course of his business. The investigation has been completed. Trial is likely to take time. His further detention would not serve any useful purpose. Therefore, it was urged that he deserves to be released on bail.

4. Status report had already been filed. Learned Assistant Advocate General, Punjab had argued that there are serious allegations against the petitioner. He is a man of organized crime syndicate constituted with other accused. One of the members of this syndicate i.e. accused Jobanpreet Singh had made an attempt to kill the complainant while making demand for extorting money. An amount of Rs.8,000/- had been transferred by co-accused Anmol Singh by using UPI scanner of the present petitioner and the said amount has been paid to Jobanpreet Singh for committing the subject offence as well as other offences. There are chances of his absconding or intimidating witnesses if extended benefit of bail. Therefore, it was urged that the petition does not deserve to be allowed.

5. Learned counsel for both the parties were heard at considerable length.

6. The petitioner is alleged to have been nominated as an accused by the co-accused Anmol Singh in his disclosure statement. Allegations against him are that he had facilitated use of his UPI scanner and had received a sum of Rs.8,000/- in his bank account from the account of accused Anmol Singh and the said amount has been paid in cash to the accused Jobanpreet Singh who along with the other accused had been running a crime syndicate to extort money. The petitioner has no criminal

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antecedents. He is in custody since 05.11.2024. Challan has been filed but trial is likely to take time. His further incarceration would not serve any useful purpose. It is a debatable issue as to whether the ingredients for commission of offences punishable under Sections 111 and 112 of BNS are attracted in this case or not. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case, I am of the opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

15.02.2025
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(MANISHA BATRA)
JUDGE

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