

2025:PHHC:005888



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

**CRM M-63514 of 2024
Date of Decision: 15.01.2025**

Navdeep Singh @ Shivani ...Petitioner
Versus
State of Punjab ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Manjot Singh Rai, Advocate, for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail petition in case FIR No. 11 dated 29.06.2024 under Section 384 IPC and Sections 25(7) and 25(8) of the Arms Act, Police Station Special Operation Cell, Fazilka, District Fazilka (Annexure P-1).

2. The FIR in the present case was registered on the basis of the complaint moved by SI Charath Singh, Incharge Counter Intelligence Unit, Faridkot, and the same has been reproduced below:-

“To, SHO, Police Station State Special Operations Cell, Fazilka. "Sat Sri Akaal" Today I ASI alongwith ASI Lakhvir Singh 1001/Faridkot, Head Constable Baljeet

Singh 75/230, Head Constable Harjit Singh 75/241, Head Constable Rahul Kumar 5134/IT, CI Baldev Singh 6/217, C-1 Simranjeet Singh 36/352, C.C. Harpreet Singh 321/Faridkot, C.C. Paramjeet Kaur 96/Faridkot in private vehicle, alongwith private laptop and printer were on patrol and checking of suspicious persons at Moga Kotkapura Road highway in jurisdiction of Police Station City Kotkapura were present when an informer came to me and gave information that persons having connection with Bambhia Gang namely Sandeep Singh alias Mani son of Jaswinder Singh resident of Dashmesh Nagar, Behbal Road, Bargardi, Police Station Faridkot who is presently residing at Canada and who along with his other accomplices in India gets recce done of wealthy people in India, then calls them from Canada and asks for ransom by threatening them and if any person does not pay the ransom, then he through his accomplices in India namely Harjit Singh alias Pokhi son of Gurmail Singh resident of Ajmer Singh near Dharamshala Pahade Ka Agwad, Village Bargardi, District Faridkot, Navdeep Singh alias Shivani son of Harmail Singh resident of near Vada Khu Hari Nuh, District Faridkot and other accomplices get firing done outside their houses by supplying them arms and ammunition and spread terror. They are already have many cases of loot and snatching against them. Today Harjit Singh alias Pokhi above mentioned who is wearing multi-coloured T-Shirt and black lower with white stripes, who is having an illegal pistol. Even today he is having the illegal pistol in his possession and he is going from his village Bargardi to Kotkapura, if recce is done then he can be

caught on the road and illegal pistol can be recovered from him. The information received from the informant is genuine and believable, from the acts detailed above of Sandeep Singh alias Mani, Navdeep Singh alias Shivani, Harjit Singh alias Pokhi and their other accomplices and the carrying of illegal pistol by Harjit Singh above mentioned in his possession makes out offences under 384 IPC, 25(7), (8)/54/59 Arms Act. As such ruqa is prepared against Harjit Singh, Sandeep Singh alias Mani and Navdeep Singh alias Shivani and sent by hand through C-1 Baldev Krishan 6/217 Police Station S.S.O.C. Fazilka. Case be registered, copy of FIR and original ruqa be sent to me. Special report be prepared and intimation be sent to the Ilaqa Magistrate and senior Officers. PCR be also intimated. I alongwith other officials is busy in investigation at near Highway Bridge Moga - Kotkapura Road Police Station Kotkapura. Time 04:15 PM Sd/- SI Charath Singh 77/IT Incharge Counter Intelligence Unit Faridkot dated 29.06.2024.”

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case by leveling vague and unfounded allegations against him. He further contends that the petitioner has been assigned a false role and has been nominated as an accused on the strength of a disclosure statement made by a co-accused, which was not admissible against him and the allegations did not disclose the commission of any offence. Even, the name of any victim has not been mentioned by the complainant and the Investigating Agency could not collect any evidence to prove any

association of the petitioner with Sandeep Singh @ Mani, who is residing in Canada and other gangsters. Still further, no arms or any other material is to be recovered from the petitioner and the petition deserves to be allowed by this Court.

4. On the other hand, a status report has been filed by way of affidavit of Assistant Inspector General of Police, State Special Operation Cell, Fazilka on behalf of the State of Punjab and the same is taken on record.

5. The relevant extract of the said status report has been reproduced below:-

“4. That from the bare perusal of the FIR shows that the petitioner alongwith other accused is a member of organized gang namely 'Bambhia Gang' used to threat innocent people and on refusal of extortion money they used to firing shots outside their houses with illegal weapons. During investigation .32 bore country made pistol and 02 live cartridge was recovered from Harjit Singh @ Pokhi (non application). Allegation against the accused that co-accused Harjit Singh @ Pokhi suffered disclosure statement that Sandeep Singh resident of Canada told him that he got supplied ammunition from foreign country and he alongwith Navdeep Singh @ Shivani (petitioner) and Jagsir Singh @ Bantu in connivance with each other used to give firing shots at night time outside of the houses of public, on refusal of demand of ransom. Custodial interrogation of the

petitioner is required. So the present petition is liable to be dismissed.

5. That on the basis of said information, the police party started barricading and apprehended said Harjit Singh, during search of said Harjit Singh one .32 bore country made pistol alongwith 2 live cartridges of .32 bore were recovered. Parcel of recovered pistol and live cartridges was prepared and same was sealed by SI Charat Singh and sample seal was prepared separately.

6. That during investigation of the case, said Harjit Singh disclosed that previously he was playing Kabaddi and he came into contact with Sandeep Singh @ Mani who belongs to Davinder Bambiha gang and he also joined said gang. Due to which he also came into contact with Navdeep Singh @ Shivani (Petitioner) and Jagsir Singh @ Bantu son of Sukhwinder Singh resident of Bargari. Said Sandeep Singh used to threat people through phone from Canada, and then they used to receive the money of extortion from said persons. On the basis of said disclosure statement said Jagsir Singh Bantu was also nominated as accused in the present case vide DDR No.26 dated 01.07.2024.

7. That during investigation of the case, on 01.07.2024 Harjit Singh also got recorded his disclosure statement with the police that said Sandeep Singh (Mobile number 95174-00058) used to call him on his numbers 86994-09394 and 62806-09135.

8. That during investigation of the case, accused Jagsir Singh @ Bantu and Harjit Singh @ Pokhi were arrested

by the police now are released on bail on court orders. Investigation of the case is pending”.

6. Learned counsel for the respondent-State submits that in view of the above referred averments, the custodial interrogation of the petitioner is required and the petition may be ordered to be dismissed.

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

8. From the allegations levelled by the complainant in the present case, it is apparent that the petitioner and his co-accused Harjit Singh @ Pokhi used to threaten innocent persons and on refusal of extortion money, they used to fire outside their house with illegal weapons. Harjit Singh @ Pokhi was arrested and .32 bore country made pistol and two live cartridges were recovered from him. Moreover, Harjit Singh @ Pokhi was in constant touch with the petitioner as well as Sandeep Singh @ Mani, resident of Canada, who was a gangster. Apart from that, Harjit Singh had clearly disclosed that he and the petitioner were consistently in contact with Sandeep Singh @ Mani, who was an active member of notorious ‘Bambhia Gang’. Sandeep Singh @ Mani used to make threatening calls from Canada and the petitioner as well as Harjit Singh @ Pokhi used to collect extortion money. Thus, the investigation in the present case is at a very crucial stage and in the considered opinion of the Court, the

custodial interrogation of the petitioner would be required to find the names of other persons, who are involved in the activities of the gang and to make recovery of firearms from the present petitioner. Still further, it is a matter of common knowledge that such activities of gangsters are on rise in the State of Punjab and the grant of concession of anticipatory bail to the petitioner may hamper the investigation in such a matter, wherein, the Society at large is being threatened and unknown persons have been coerced to make payment of ransom. The petitioner is not entitled to the discretionary relief of anticipatory bail and the present petition is ordered to be dismissed.

15.01.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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