

CRM-M-63696-2025

2025:PHHC:159822



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

CRM-M-63696-2025

Amrik Singh

....Petitioner

Versus

State of Punjab

....Respondent

Date of decision: November 18, 2025

Date of Uploading: November 18, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Ankur Jain, Advocate for the petitioner.

Mr. Baljinder Singh Sra, Additional AG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case bearing FIR No.97 dated 17.05.2025, registered for the offences punishable under Sections 308(4), 62 & 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 111 of the BNS added later on), at Police Station Jandiala, District Amritsar.

2. The gravamen of the FIR in question is that complainant, namely, Lovepreet Kumar alias Love, son of Surinder Kumar, stated that he along with his two brothers Vikramjit Kumar and Bhupinder Kumar, and his father Surinder Kumar, was running a Karyana shop under the name Surinder Karyana Store. On 10.05.2025, the complainant's brother, namely,

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Bhupinder Kumar received a WhatsApp call from a foreign number +351926593285. The caller identified himself as Billa Mange Wala and demanded ₹50 lakh, threatening serious consequences if the ransom was not paid. On 11.05.2025, the complainant (Lovepreet Kumar) received a WhatsApp call from the same foreign number on his mobile number 90413-70896. He disconnected the call without giving much attention. Shortly thereafter, he received two WhatsApp messages containing threatening audio recordings, warning that any of his family members could be killed if the demand for ₹50 lakh was not met. These threats caused fear and distress to the complainant and his family. On 12.05.2025, one Deepak Kumar alias Deepak, resident of Navi Abadi, Jandiala Guru—who was already known to the complainant—visited the shop. He claimed to have links with Billa Arjanmaga and stated that he could settle the matter for ₹20 lakh. Initially, the complainant and his family agreed, and through Deepak Kumar and another person, namely, Hardev Singh @ Debu, son of Jaswant Singh, a conversation was facilitated with the caller identified as Billa Arjanmaga. However, the complainant later began delaying the matter to avoid making any payment and eventually reported the matter to the police.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 07.06.2025. Learned counsel has iterated that the petitioner has been falsely implicated into the FIR in question primarily on account of his being brother-in-law of co-accused, namely, Balwinder Singh @ Dony Bal. Learned counsel has further argued that the petitioner is a man aged 53 years. Learned counsel has further urged that investigation into the FIR in question *qua* the petitioner is complete and culmination of trial will take time. Thus, regular bail is prayed for.

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4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature, and thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record the custody certificate dated 17.11.2025, in the Court today, which is taken on record.

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

6. The petitioner was arrested on 07.06.2025, whereinafter, investigation was carried out and the challan *qua* the petitioner has been presented on 08.07.2025. It is not in dispute that total 08 prosecution witnesses have been cited and none has been examined till date. Indubitably, culmination of the trial will take its own time. The rival contentions raised at Bar given rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 17.11.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 05 months and 09 days. Further, as per the said custody certificate, the petitioner is stated to be involved in other FIR(s). However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed

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upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*, a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in CRM-M No.38822-2022 titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as undertrial is not warranted in the factual milieu of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport(s), if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number(s) to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number(s) without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the

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State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

November 18, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No