

2025.PHHC.173733



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-63225-2025

Date of decision: 11th December, 2025

Harpal Singh Dhaliwal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. D.S. Sekhon, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 107 dated 11.07.2024 registered under Sections 308(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 308(6) of BNS was added later on and Section 308(3) of BNS was deleted) at Police Sadar Kotkapura, District Fardikot.

2. The aforementioned FIR has been registered on the basis of the statement recorded by the complainant Gurpreet Singh on 11.07.2024, alleging that his cousin Gurtej Singh informed him on phone that since 07.07.2024, he had been receiving calls from unknown numbers and the

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callers were extending threats to him and were trying to extort money from him by threatening that he had committed rape of a girl. The complainant advised him to talk to those persons and call them to Kotakpur. Baltej Singh through his friend Gurtej Singh called those persons and it was settled that he would give an amount of Rs. 2,20,000/- to those persons. On 10.07.2024, the complainant along with Baltej Singh, Gurtej Singh and Balraj Singh reached the appointed place when at about 6:00 PM, the present petitioner accompanied by one female and one male reached there in a car and stopped near them. The female sitting in the car demanded money from Gurtej Singh and they were apprehended by the complainant. On asking they disclosed their names as Harpal Singh, i.e. the petitioner, Mandeep Singh and Sarabjeet Kaur. They initially told the complainant that one girl from their village had been molested and then admitted that they just wanted to extort money by extending threats to them. They were brought before the police. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Faridkot vide order dated 20.08.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He had simply accompanied the accused Sarabjeet Kaur on her asking to effect some compromise and was not aware about the facts that he had been taken for extorting money from the victim Baltej Singh. It is argued that no money had been taken by him from the victim

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party. His custodial interrogation is not required. No recovery is to be effected from him. He is ready to join the investigation. Therefore, it is urged that he deserves to be released on pre-arrest bail.

4. Status report has been filed by respondent-State. Learned State counsel has argued that the petitioner played an active part in the occurrence in connivance with the co-accused and along with them, he had made calls to the victim with an intent to extort money and had even gone to collect money which was settled be paid by the complainant. His custodial interrogation is required for the purpose of conducting thorough investigation in the matter. No exceptional or extra ordinary circumstance for grant of pre-arrest bail is made out. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner along with the co-accused is alleged to have formed a gang indulging in blackmailing and extorting money from innocent persons by extending threats to them. As per the allegations, he was very much accompanying the co-accused at the time when they had come to extort money from the complainant/his cousin brother. The allegations against the petitioner are serious in nature. For conducting a deeper probe and for eliciting information as to the manner and in which the subject crime was committed, custodial interrogation of the petitioner is required. The allegations against the petitioner are serious in nature. For the purpose of conducting thorough

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investigation in the matter, custodial interrogation of the petitioner is must. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly and in exceptional circumstances. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity of allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

11th December, 2025

Parveen Sharma	1. Whether speaking/ reasoned	:	Yes / No
	2. Whether reportable	:	Yes / No