

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-D-390-2025 (O&M)

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
27.04.2026	12.05.2026	FULL PRONOUNCED	13.05.2026

Jagtar SinghAppellant

Versus

State of Punjab...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
HON’BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Pratham Sethi, Legal aid counsel
for the appellant.

Ms. Pooja Nayar Sharma, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Section
16	26.01.2023	Sadar Jagraon, district Ludhiana	387, 307, 353, 186, 115, 120B IPC, Sections 25(7), 27/54/59 of Arms Act and Sections 17, 18, 18B, 19, 20 of The Unlawful Activities (Prevention) Act 1967

Criminal Case number before the Sessions Court	CIS No.BA-23252-2023 CNR No.PBLD010282582023
Date of Decision	14.12.2023

1. Aggrieved by the dismissal of regular bail by the Additional Sessions Judge, Ludhiana vide order dated 14.12.2023, the appellant had come before this Court by filing the present appeal, seeking bail in the FIR mentioned above.
2. The facts of the case are being taken from the reply dated 20.04.2026, filed by the DSP, Jagraon, District Ludhiana (Rural) and the same reads as follows:-

“2. That the brief facts of the case are that on 22-01-23, complainant Manoj Kumar son of Hakam Rai, resident of Moti Bagh, Jagraon gave intimation to the police that he received one phone call from one person namely Arsh Dalla

who demanded ransom of Rs. 15 Lacs from him. On this information, DDR No. 26 dated 22-01-2023 was recorded in PS City, Jagraon.

3. That the complainant further stated that today i.e. on 26-01-2023, in morning time, he received again phone call from abroad and the person Arsh Dalla from Canada told him to bring amount of ransom of Rs. 1,50,000/- in the area of villages Kaunkey and Chuhar Chak but he will tell the place later on. On this information different police parties were constituted by the higher police officers under the supervision of DSP Dalbir Singh to apprehend the culprits. In the meantime, it was told to the complainant by the said notorious person that the amount is to be placed near the motor kotha situated in the agricultural land of Tara Singh son of Karnail Singh resident of village Kaunkey.

4. That the police party has already prepared photo copies of the currency notes and prepared 3 packets of the photo copies of the currency notes and then kept the packets in the crop near motor kotha in the field of said Tara Singh. The police parties have already surrounded the area from all sides. At about 2:15 PM, two young persons with muffled faces came on one CD-100 motor cycle without number and they started locating the currency notes in the mustard crop standing in the field near the kotha. The Police parties took their position to apprehend them.

5. That police party headed by DSP Dalbir Singh came forward from the side of drain to apprehend those young persons. The culprit who was driving the motor cycle has taken out one pistol from his dab and fired at the police officials with the intention to kill them. Then DSP Dalbir Singh fired from his pistol 9 MM for defence. The bullet of fire of the DSP hit the leg of the culprit who was sitting on the rear seat of the motor cycle and he fell down on the ground. But the driver of the motor cycle managed to escape by driving the motor cycle on the bank of the drain. The police party apprehended the young person who fell down on the ground. On enquiry he told his name as Jagtar Singh (petitioner) son of Mohinder Singh resident of village Pheruke, Tehsil Zira, District Ferozepur. But he could not tell the name and address of the co-accused who ran away from the spot. But he told the police officers TAR that the fleeing person was sent with him by his own brother Amrik Singh who is residing in Manila. He further told the police that his brother Amrik Singh and one person Manpreet Singh @ Peeta resident of Manila used to get ransoms from the rich persons at the direction of Arshdeep Singh @ Arsh Dalla who is residing in Canada. Today, they have come to take ransom from

Manoj Kumar at the instance of Arshdeep Singh @ Dalla. He further told the police that Arshdeep Singh @ Arsh Dalla and Manpreet Singh @ Peeta are the members of the International Group of gangsters. Taking into consideration of the above mentioned facts, Inspector Jarnail Singh, PS Sadar, Jagraon sent ruqa to the police station and got registered FIR No.16 dated 26.01.2023 u/w 387/307/353/186/120-B IPC and u/s 25/27/54/59 of Arms Act in PS Sadar, Jagraon against the petitioner and other above mentioned accused persons. The investigating officer has arrested petitioner Jagtar Singh at the spot.”

3. The Appellant counsel seeks bail on the grounds that the evidence against him is not legally admissible and there is no purpose to deny bail.
4. On the contrary, the State counsel opposes the bail that the offense is serious.
5. An analysis of the above would lead to the following outcome.
6. It shall be appropriate to refer to paragraphs 17 to 19 of the above mentioned reply, which read as follows:-

“17. ROLE OF THE PETITIONER:-

That the petitioner along with co-accused Amandeep Singh @ Amna have gone to the field of Tara Singh to collect amount of ransom from Manoj Kumar complainant. But the accused Amandeep Singh @ Amna managed to escape from the spot leaving behind petitioner Jagtar Singh at the spot. Petitioner was arrested at the spot.

That during investigation Amrik Singh son of Mohinder INDingh resident of Pheruke and Amritpal Singh s/o Amarjit Singh r/o village Chand Nawan were arrested on 15-06-2023 in this case by the I.O. On 26-11-2023 accused Manpreet Singh @ Peeta son of Naib Singh was arrested in this case by the I.O. On 24-12-2024 accused Kamaljit Sharma s/o Darshan Sharma resident of Dalla was arrested in this case by the I.O. Supplementary challans against the accused persons were presented in the Court.

19. That the petitioner has committed serious offence. He was arrested at the spot. He is member of the group of gangsters who used to threaten the innocent people for collecting amount of ransom. It is apprehension that the petitioner may indulge himself again in such unlawful activities if he is released on regular bail at this stage. In these circumstancs, it is respectfully

prayed that the present appeal may kindly be dismissed in the interest of justice.”

7. There is evidence of appellant’s involvement in collecting the ransom amount from Manoj, the allegations are serious and he was working for a notorious gangster, therefore he is not entitled for bail at this stage. Even otherwise there is no illegality in the order of rejection by the Sessions Court and the same is upheld.

8. In UOI Rep. by Insp. of NIA v. Barakathullah, [2024] 5 S.C.R. 1011; 2024 INSC 452, May 22, 2024, the Hon’ble Supreme Court holds,

[2]. The Central Government in Ministry of Home Affairs, CTCR Division having received a credible information that the office bearers, members and cadres of Popular Front of India (PFI), an extremist Islamic organization have been spreading its extremist ideology across Tamil Nadu, by establishing State Headquarters at Purasaiwakkam, Chennai and also offices in various districts of Tamil Nadu and that through their frontal Organizations like Campus Front of India, National Women’s Front, Social Democratic Party of India etc., they conspire for committing terrorist acts, raise funds for committing terrorist activities and recruit members for furthering their extremist ideology, and that the frontal organizations and PFI were involved in the recruitment of members to various prescribed terrorist organizations, passed an order on 16th September 2022, in exercise of the powers conferred under sub-section (5) of Section 6 read with Section 8 of the National Investigation Agency Act, 2008 (hereinafter referred to as the ‘NIA Act’), directing the National Investigation Agency to take up investigation of the said case. In view of the said order, an FIR being RC-42/2022/NIA/DLI came to be registered on 19.09.2022 against the present respondents and other members and office bearers of PFI for the offences under Section 120(b), 153(A), 153(AA) of IPC and Section 13,17,18,18(B), 38 and 39 of the Unlawful Activities (Prevention) Act, 1957 (hereinafter referred to as the “UAPA”).

[22]. In the instant case, we are satisfied from the chargesheet as also the other material/documents relied upon by the appellant that there are reasonable grounds for believing that the accusations against the respondents are prima facie true and that the mandate contained in the proviso to Section 43(D)(5) would be applicable for not releasing the respondents on bail. Having regard to the seriousness and gravity of the alleged offences, previous criminal history of the respondents as mentioned in the charge-sheet, the period of custody undergone by the respondents being hardly one and half years, the severity of punishment prescribed for the alleged offences and prima facie material collected during the course of investigation, the impugned order passed by the High Court cannot be sustained. We are conscious of the legal position that we should be slow in interfering with the order when the bail has been granted by the High Court, however it is equally well settled that if such order of granting bail is found to be illegal and perverse, it must be set aside.

9. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
10. Petition dismissed. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

12.05.2026

Anju rani

Whether speaking/reasoned	YES
Whether reportable	NO