



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

CRM-M No.14705 of 2026

Date of decision: 05.05.2026

Gurnaib Singh @ Nikka

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. R.S. Sekhon, Advocate and
Ms. Sangeeta Devi, Advocate
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. The present is the first petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding Section 439 Cr.P.C.) for the grant of regular bail to the petitioner in case FIR No.172 dated 14.12.2024 registered under Section 140(1) of BNS (corresponding Section 364 IPC) {Sections 103(1) (302 IPC), 61(2) (120-B IPC), 190 (149 IPC), 191(3) (148 IPC) of BNS added later on} at Police Station Ghall Khurd, District Ferozepur.

2. Briefly stated, the case of the prosecution is that initially, a blind FIR was registered, however, later on the complainant (mother of the deceased Balkar Singh @ Karan) suffered a statement that she was told by one Lovepreet Singh @ Manpreet that her son Balbir Singh @ Karan was kidnapped by Sunny, Love, Maan Singh, Gurnaib Singh @ Nikka, Resham



@ Balu and Vicky son of Pamma from Mudki in his presence. The role attributed to the petitioner Gurnaib Singh @ Nikka is that he along with his co-accused trapped her son and called him at Mahla Chowk, from where he was kidnapped by other co-accused persons. Later on, on the basis of disclosure statements of the accused persons Section 103(1) of BNS was added.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and he did not play any role in the commission of the alleged offence. Even the name of petitioner Ranjit Singh @ Vicky has been wrongly shown as Vicky son of Pamma. He has further contended that there is no eyewitness to the alleged occurrence and even the dead body of the deceased has not been recovered till date. He has also submitted that the petitioner is in custody since 25.12.2024 and the conclusion of trial is likely to take considerable time. It is also submitted that the other co-accused, Nisha and Ranjit Singh @ Vicky, have already been released on bail. It is, thus, argued that the case of the present petitioner stands on an identical footing with his co-accused and therefore, on the ground of parity as well, the petitioner is entitled to the concession of regular bail.

4. On the other hand, learned State Counsel has opposed the present petition for grant of bail on the ground that the petitioner has played an active role in the commission of the alleged offence and the allegations levelled against him are serious and therefore, the petitioner is not entitled to the concession of bail. However, he does not dispute the fact that the other co-accused have been released on regular bail and the case of



the petitioner is at par with them, and that the petitioner is in custody for the last about 01 year and 04 months.

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

6. Keeping in view the fact that the petitioner is in custody for the last 01 year 04 months and 09 days and the conclusion of trial is likely to take some time. There is no eye witness to the occurrence. Even the dead body has not been recovered. The case of the petitioner is on parity with co-accused Ranjit Singh @ Vicky and no useful purpose would be served by keeping him behind bars for an indefinite period.

7. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. All pending applications, if any, also stand disposed of.

9. However, nothing observed herein shall be construed as an expression on the merits of the case.

05.05.2026

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(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No