



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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1) CRM-M-28078-2025
Decided on : 11.03.2026

Harpal Singh alias Ajju
... Petitioner(s)

Versus

State of Punjab
... Respondent(s)

2) CRM-M-28264-2025

Nikka @ Harpreet Singh
... Petitioner(s)

Versus

State of Punjab
... Respondent(s)

3) CRM-M-29459-2025

Jhimma Singh @ Baljinder Singh
... Petitioner(s)

Versus

State of Punjab
... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. K.S. Kahlon, Advocate
for the petitioner(s) (in CRM-M-28078-2025).

Mr. Akun Sheemar, Advocate
for the petitioner(s)
(in CRM-M-28264-2025 & CRM-M-29459-2025).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-28078-2025, CRM-M-28264-2025 and CRM-M-29459-2025, as all the petitions are interconnected

and have arisen out of same FIR. However, the lead case is CRM-M-28078-2025.

2. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner(s), who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Harpal Singh alias Aju (petitioner in CRM-M-28078-2025)	27	13.04.2025	111 of BNS, 2023	Chatiwind	Amritsar Rural
Nikka @ Harpreet Singh (petitioner in CRM-M-28264-2025)					
Jhimma Singh @ Baljinder Singh (petitioner in CRM-M-29459-2025)					

3. In the present cases, following common order was passed on 27.05.2025:-

“ On 21.05.2025, the following joint order was passed in CRM-28078-2025 & CRM-M-28264-2025:-

“1. Petitioners are seeking concession of anticipatory bail in case, FIR No.27, dated 13.04.2025, u/s 111 of BNS, 2023, registered at P.S. Chatiwind, Distt. Amritsar Rural. 2. The FIR in question has been registered on the basis of the secret information against total 6 persons namely, (1) Gurbhej Singh @ Lalli; (2) Harpal Singh @ Aju; (3) Nikka @ Harpreet Singh; (4) Jhimma; (5) Prince Pal; and (6) Sheela Singh @ Pargat Singh. As per the secret information, the aforementioned six persons have made a gang to carry out snatching and looting and lot of criminal cases under the Narcotic Drugs and Psychotropic Substances Act, are lying registered against them.

Further, received information disclosed that these people are planning to carry out snatching and looting in the bushes near bridge on river Bhoru. All of them were alleged to be armed with dangerous weapons.

3. In the FIR, it is further narrated that on seeing the police party, one person namely, Gurbhej Singh @ Lalli, was nabbed and all other succeeded in fleeing from the spot. However, there and then arrested accused in his disclosure statement confirmed the presence of all other named accused and thereupon, one datar, one iron rod, one kirch and one baseball were recovered from the grass.

It is also noticed from the FIR that the team of the police officers which proceed to conduct the raid, was consisting of ASI Tarsem Singh, ASI Mehalm Singh 954, ASI Baljit Singh 222 and PHG Satnam Singh 2861, while boarding in a private vehicle

without registration number (no registration number is given) along with personal laptop, printer and other accessories required for patrolling in search of bad elements of the society.

4. *This Court noticed that the team of four police officials had conducted raid upon the place disclosed in the secret information, for nabbing total six accused, about whom police team had already been informed that they all are armed with dangerous weapons. It appears that no satisfaction has been recorded after receipt of the secret information (if any actually received), by examining/verifying the antecedents of all the six accused. To understand the definition of weapons that too dangerous, we need to look into the provisions of the Bharatiya Nyaya Sanhita, 2023.*

5. *Learned Senior Deputy Advocate General, Punjab could not point out that any of the articles shown to be recovered in the present case from the grass area falls within the definition of weapon, what to talk of the dangerous. Also, there is nothing mentioned in the FIR that any information with regard to receiving of secret information by the police team, while they were present near Adda Bhuru, was forwarded for its recording in Daily Diary Register (DDR) in the concerned police station. No such clarification comes out from the FIR.*

6. *On advance notice, Mr. Neeraj Madaan, Senior Deputy Advocate General, Punjab, on being asked by the Court, informs that one case under NDPS Act, which is under-trial, is found to be registered against accused Harpal Singh @ Aju and against accused Nikka @ Harpreet Singh, only one case under Excise Act was registered, in which he was convicted on 24.05.2023. Antecedents qua other named accused, State is yet to respond.*

7. *In view of all the aforementioned circumstances noticed by this Court and recorded hereinabove, it seems that it would be apt to exercise the power with the Hon'ble High Court under Section 482 Cr.P.C.*

8. *In the given circumstances, this Court has raised serious doubt as to whether police officials have exercised the power within the permissible limit under the law or exercised the same arbitrarily. Facts in the present case need to be examined minutely because of severe sentence provided under the law.*

If not so, a clarification is required in black and white as to how the registration of FIR in the present case is justified and why the same should not be quashed by directing to take strict action against the lodger of the FIR.

9. *Notice is being issued to the respondents to call for their response as to why the FIR in question, be not quashed at this stage.*

10. *Questions posed by this Court, need to be answered by the State in the status report, which is directed to be filed on or before the next date fixed.*

List on 27.05.2025.

To be shown in the urgent list.

11. *Copy of order be immediately forwarded to the Advocate General, Punjab and the Director General of Police, Punjab, for their acknowledgement and necessary action thereon to avoid the passing of unpleasant direction by this Court.*

12. *Photocopy of this order be placed on the connected file."*

Today three cases are listed. All the cases are taken up together as the FIR in question and facts of all the cases are same.

Notice of motion.

On advance notice, Mr. Jasdeep Singh, Addl. A.G.Punjab appears and prays for some time to file exhaustive common status report after examining all the relevant facts.

May do so.

List on 30.07.2025.

In the meanwhile, the petitioner(s) in their respective cases shall not be arrested by the police in the FIR in question.

Photocopy of this order be placed on the connected files.”

4. Today, learned State counsel informs that, as per paragraph No.5 of the status report filed in CRM-M-28078-2025, upon examination of the complete facts, the offence under Section 111 of the BNS has been deleted in the present case(s), and Sections 310(4) and 310(5) of the BNS, i.e. preparation for committing dacoity, have been added.

5. In view of the stand taken by the State in all the aforementioned anticipatory bail petitions, this Court finds it appropriate to grant the concession of anticipatory bail to the petitioners.

6. Accordingly, the petitioners are directed to join the investigation within two weeks from today, or as and when called by the Investigating Agency. In the event of their arrest, the petitioners shall be released on anticipatory bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the conditions laid down under Section 482(2) of the BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

7. It is further directed that the petitioners shall hand over their respective passports to the Investigating Agency or to the Court concerned, if they possess the same. In case they do not possess any passport, they shall submit an affidavit to that effect.

It is also directed that before leaving the country at any time during the trial, the petitioners shall seek prior permission from the Court.

8. However, it shall be open to the petitioner(s) to challenge the sustainability of the allegations/FIR by filing an appropriate petition, in

accordance with law.

It is further clarified that since offences under Sections 310(4) and 310(5) of the BNS, 2023 have been added subsequently, the present bail order shall be deemed to be applicable to the said offences as well.

9. With the directions issued here above, present petitions stand disposed of.

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the files of other connected cases.

(SANJAY VASHISTH)
JUDGE

March 11, 2026

J.Ram

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