2026:PHHC:013316

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

208-1 **CRM-M-38942-2025**

NISHA

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

A N D

208-2 **CRM-M-68297-2025**
Date of Decision: 29.01.2026

RANJIT SINGH @ VIKCY

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

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Present: Mr. Kamal Narula, Advocate
for the petitioner in CRM-M-38942-2025.

Mr. Devender Kaushal, Advocate
for the petitioner in CRM-M-68297-2025.

Mr. P.S. Pandher, AAG, Punjab.

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H.S. GREWAL, J. (ORAL)

Both these petitions are being decided by this common order since they arise out of the same FIR.

2. These petitions have been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioners in case FIR No.172 dated 14.12.2024 under Sections 140(1), 103(1), 61(2), 190 and 191(3) of BNS, 2023 registered at Police Station Ghall Khurd, District Ferozepur.

RAJENDER KUMAR
2026.01.30 17:24
I attest to the accuracy and
authenticity of this order

3. 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 Nisha is that she alongwith her co-accused Sunny 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.

4. Learned counsel for the petitioners contend that the allegations against the petitioners are concocted and false. The petitioners 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. They further submit that there is no eyewitness to the alleged occurrence and even the dead body of the deceased has not been recovered till date. They further submit that the petitioners are in custody for the last more than 01 year. It is further stated that the trial of the case is yet to commence and as such, the same will take a long time to conclude.

5. On the other hand, learned State Counsel vehemently opposes the petition for grant of bail on the grounds that there is an active role of petitioners in the commission of the alleged offence and the allegations levelled against them are serious. Hence, he prays for dismissal of the present petition. Custody certificates filed by the State Counsel are taken on record. As per the said certificates, the petitioners are in custody for the last more than 01 year.

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

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7. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioners are in custody for the last more than 01 year and the trial will take a long time to conclude, this Court is of the opinion that the petitioners deserve the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioners would not serve the ends of justice, therefore, they are entitled to regular bail during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, instant petitions are allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. It is clarified that if while on bail so granted through the instant order, the petitioners are found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of their bail.

10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

(H.S. GREWAL)
JUDGE

JANUARY 29, 2026.
Rajender

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

RAJENDER KUMAR
2026.01.30 17:24
I attest to the accuracy and
authenticity of this order