

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:028019



120-2

CRM-M-46141-2025 (O&M)

Date of decision:23.02.2026

Jagdeep @ Jagdeep Singh @ Jagga

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gobind Singh Radhawa, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.122, dated 25.12.2024, registered under Section 308(5) of the BNS (offence under Section 109 of the BNS was added lateron) and Section 25 of the Arms Act, at Police Station Sadar Gurdaspur, District Gurdaspur.

2. As per the allegations, on 23.12.2024, the complainant – Sawinder Singh was present in his house when he received some calls from some unknown foreign numbers on his mobile. Those calls were not picked up by him. On the same night, two persons riding on a motorbike came in front of his house and after firing shots in the air, they fled away. The complainant checked footages of CCTV cameras installed in his house and

found them while going away. Thereafter, at about 01:30 A.M., he received some threatening messages on his mobile phone calling upon to save his family and himself. In the next morning, pictures of his children and car were sent and again threats were extended from some phone numbers. Demand of a sum of Rs.1 crore was made by sending messages and by making calls from two particular numbers. On the basis of statement recorded by the complainant, initially, a case under Section 308(5) of BNS and 25 of the Arms Act was registered.

3. As per the further allegations, the complainant recorded a supplementary statement on 04.01.2025, alleging that he had received a second ransom call on 31.12.2024 raising demand of an amount of Rs.70 lakhs from two numbers. He also disclosed that the ransom amount was demanded by accused Jaswinder Singh @ Manu @ Agwan. The abovesaid Jaswinder Singh @ Manu @ Agwan was nominated as an accused. Offence under Section 109 of the BNS was added. During the course of investigation, the present petitioner and co-accused Navjot Singh @ Nav @ Noi, who were arrested in another case bearing FIR No.11, dated 30.01.2025, registered at Police Station Sarhali, District Tarn Taran, suffered disclosure statements admitting their involvement in committing the firing incident at the gate of house of the complainant as on the night of 23.12.2025. They were nominated as accused in this case and were formally arrested on 24.02.2025. One Robanjeet Singh @ Roban was also arrested subsequently. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statements,

allegedly suffered by him and co-accused in other case which cannot be considered to be admissible in evidence. He was not named in the FIR. Nor it is the case of the prosecution that he was identified in the CCTV cameras which are installed in the house of the complainant. Infact, he was illegally picked up the police from his residence and was implicated in this case. No test identification parade has been conducted. There is delay of 02 days in lodging of the FIR. He is on bail in another case registered against him. He is in custody since long. No useful purpose would be served by detaining him in custody anymore. The trial will take considerable time to conclude. It is, therefore, argued that he deserved to extended benefit of bail.

5. Per contra, learned State counsel has argued that there are serious and specific allegations against the petitioner. He was one of the person, who had fired shots with pistol outside the house of the complainant on the night of 23.12.2024 in order to threaten the complainant and to extort ransom money from him in connivance with the co-accused. He has criminal antecedents. There are chances of his intimidating the witnesses, committing similar offences or absconding if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner is in custody since 24.02.2025 i.e. for a period of 01 year. No witness out of 22 prosecution witnesses has been examined so far. The trial will obviously take time to conclude. The culpability of the petitioner would be determined on the basis of evidence to be produced during trial and not at this stage. As such, no fruitful purpose would be

served by detaining the petitioner in custody anymore. It is well settled proposition of law is that the pre-trial incarceration should not be a replica of post conviction sentencing. Taking into consideration the period of incarceration of the petitioner, the fact that there is no likelihood of conclusion of trial in near future and the above discussed facts and circumstances peculiar to the case, this Court is of the considered opinion that the petitioner has made out a case for grant of bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

23.02.2026

harjeet

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No

(MANISHA BATRA)
JUDGE