



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

126

CRM-M-66506-2025 (O&M)

Date of decision: 30.03.2026

Gurwinder Singh @ Sunny

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. G.S. Randhawa, Advocate for the petitioner(s)
(through V.C.).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.97 dated 17.07.2025, registered under Section(s) 109, 308(4), of the Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act, 1959 at Police Station Kathunagal, District Amritsar (Rural).

2. The present FIR was registered on the complaint of Chandan son of Kulwant Rai Sunder. The same reads thus:-

“xxxxxxx The complainant had been running a shop under the name and style of Sunder Bakery for the past 6 years and his residence is on the first floor of the shop. On 03.07.2025, he received a voice message at his Whatsapp No. 62397-99374 from Whatsapp No. +351 924 330 529, wherein the sender identified himself as Billa Arjun Manga and

demanded a ransom amount of Rs. 40,00,000/- and threatened to kill the person present at the counter of the shop. It is further stated that on 07.07.2025, the complainant received another call on his whatsapp No. 62397-99374 from Whatsapp No. +351 924 330 529, and the callers identified himself as Billa Arjun Manga and threatened that the complainant had only 10 days of time to make the payment. Thereafter the complainant did not receive any messages or phone call. However, on 17.07.2025, at about 8:57 PM, when the complainant was present at the counter of his bakery, three young men riding a motorcycle, came from the side of Kathunagal and slowed down their Motorcycle in front of the complainant's bakery and the young man sitting at the last fired 3/4 shots towards the bakery from his pistol with the intention to kill the complainant. It was averred that one of the bullet hit the roof of the bakery and the other shots hit the glass of the bakery and thereafter, all the young men fled away on their motorcycle towards Dhadde Road. It is further alleged that complainant received another call at his above mentioned Whatsapp number from whatsapp number +351 924 330 416 and the caller threatened the complainant that the aforesaid incident was just a trailer and that if the money is not delivered to the associates of the caller's brother namely Gurwinder Singh @ Sunny, the complainant would be shot at his forehead. On the basis of these sets of allegation the present FIR No. 97

dated 17.07.2025, under sections 109, 308 (4), BNS of 2023, and under section 25, 27 Arms Act 1959, at Police Station Kathunagal, District Amritsar (Rural) came to be registered against the petitioner and his brother. ”.

3. Learned counsel for the petitioner contends that the petitioner has been nominated as an accused in the present case solely because he is brother of one Jobanjit Singh @ Billa, who is a person with criminal antecedents and is residing abroad. He contends that even though the case of the prosecution is to the effect that a whatsapp call had been received by the complainant from abroad from the said Jobanjit Singh @ Billa and the caller had directed the complainant to deliver a sum of Rs.40 lakhs to the person designated by the petitioner, however, there is no evidence of any nature whatsoever which may establish that the petitioner had ever been in contact with his brother/Jobanjit Singh @ Billa or with any other person in relation to the present incident. He further contends that there is also no evidence on record which would link that any of the shooters, who have fired shots at the shop of the complainant, had been arranged by the petitioner or that the petitioner had asked any person to collect the ransom money (which was undisputedly never paid) on his behalf. It is contended that the petitioner has been in continuous custody since 05.06.2023 and merely because Jobanjit Singh @ Billa made a demand from the complainant and directed him to handover the ransom to associates of the petitioner herein, the same would not be sufficient to draw any inference against the petitioner herein, particularly in the absence of any material whatsoever indicating the participation of the petitioner in the present

incident. He further submits that the petitioner has been in custody since 06.08.2025 in the present case and has undergone an actual custody of nearly 08 months.

4. Learned counsel for respondent-State, on the other hand, contends that the petitioner has criminal antecedents and he is brother of Jobanjit Singh @ Billa. It is contended that the demand of ransom had been made by Jobanjit Singh @ Billa and the amount was to be handed over to the person designated by the petitioner, hence, inference can be drawn regarding participation of the petitioner in the present case.

5. It is however not disputed by the learned State counsel that the petitioner has been in continuous custody since 05.06.2023. He is further not in a position to refer to any material on record demonstrating any conversation that the petitioner may have held with Jobanjit Singh @ Billa (his brother) prior to the alleged demand of ransom having made by Jobanjit Singh @ Billa to the complainant or any period thereafter. He is also not in a position to refer to any evidence on the basis whereof it may be inferred that any of the shooters/persons designated to collect the money were ever identified, nominated or deputed by the petitioner herein. The period of custody as well as the stage of trial wherein charges have not been framed and 10 prosecution witnesses are yet to be examined, is also not disputed by the learned State counsel.

6. Having heard the learned counsel for the parties and taking into consideration the facts and circumstances as noted above, including the arguable issues with respect to the culpable liability of the petitioner in commission of the present incident coupled with the period of actual custody

already undergone by him as well as the stage of trial and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

7. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

30.03.2026

Mangal Singh

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