



CRM-M-69550-2025

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

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CRM-M-69550-2025

Date of decision : 11.02.2026

KULWANT SINGH ALIAS FAUJI

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Imaan Singh Khara, Advocate
for the petitioner.

Mr. Rohit Bansal, Sr. DAG, Punjab.

SURYA PARTAP SINGH, J.

1. This is first petition for bail filed by the petitioner with regard to FIR No.29 dated 16.02.2023 under Sections 365, 379-B(2), 323, 506, 148 and 149 of Indian Penal Code, [later on challan was presented under Sections 365, 379-B(2), 323, 506(ii), 295-A, 148 and 149 of IPC], Police Station Ajnala, District Amritsar Rural. The above-mentioned FIR came into being at the instance of Varinder Singh, hereinafter being referred to as complainant only. It was stated by the complainant that when Amritpal Singh Khalsa came to Punjab and preached Sikhism, he developed a liking for him. According to above-named complainant, however with the passage of time he found that



Bikramjit Singh, who used to accompany Amritpal Singh, and known to the complainant, was violating Sikh doctrine. As per complainant there was a general discussion in the public about the wrong things being done by Bikramjit Singh and his bend of Singhs. According to complainant subsequently due to false propaganda of Amritpal Singh, and Bikramjit Singh, he got alienated from the above-mentioned movement.

2. The complainant also stated that on 05.11.2022, he went to village Singha Wala, District Moga to meet Amritpal Singh and disclosed the whole truth to Gurmeet Singh, Bukkanwal and Kulwant Singh Raunke and other leaders of the group, but they avoided him (complainant) and did not allow him to meet Amritpal Singh. As per complainant, he was subjected to misbehavior by the above-named persons, and therefore, he returned home, and thereafter, he started a campaign, wherein he tried to unearth the truth and make the public aware of the illegal activities of the above-mentioned group. As per complainant he even went live on Facebook and narrated his entire truth on social media, due to which the members of Amritpal Singh group got angry with him.

3. The complainant further stated that on 15.02.2023, when he was present at a *Dera* in Ajnala few persons came there in a vehicle talked to him in a very soft manner and while talking to him brought him out of the gate of the *Dera* and there, he was thrashed by 4-5 persons sitting an ISSUZU Pick Up vehicle. The complainant further stated that thereafter in the same vehicle he was taken to a place where 4-5 other cars were already parked and he was taken infront of the car, where Amritpal Singh was present alongwith his body guards. As per complainant the moment Amritpal Singh got down from the



car, he starting using fuel language and dirty/abusive words in the name of mother and sister of the complainant, and thereafter, his two mobile phones were snatched by the above-named assailants, who thrashed him with the help of sticks & punches, and thereafter, he was threatened that if he spoke against the above-mentioned group, he (complainant) and his family members including his brother and sister living abroad will be done to death. As per complainant, he was kept in captivity till 10:00 P.M. and thereafter, abandoned on the spot.

4. It is the case of the prosecution that in view of above-mentioned complaint, the formal FIR was lodged and the investigation taken up.

5. Notice of motion.

6. Since advance notice has already been served upon the State, Mr. Rohit Bansal, Sr. DAG, Punjab, accepts notice on behalf of respondent-State. Hence, the service of notice upon the State is hereby dispensed with. The learned State counsel has filed the custody certificate. The same be taken on record.

7. Heard.

8. It has been contended on behalf of petitioner that petitioner is innocent, having no nexus whatsoever, with the commission of crime, and that the name of the petitioner no where figures in the FIR. As per learned counsel for the petitioner, the petitioner is already in custody for a period of more than two years and ten months, and that investigation in this case is already complete and nothing is left to be recovered from the possession of petitioner. As per learned counsel for the petitioner, the trial is taking place at a slow pace as out of 54 only 01 witness has been examined so far. As per learned counsel



for the petitioner the allegations levelled against the petitioner are unnatural and improbable and fails to convince a prudent mind.

9. The learned State counsel has controverted the above-mentioned arguments. According to learned State counsel in the present case the allegations against the petitioner and his co-accused are very serious in nature, as the petitioner was member of a group led by Amritpal Singh and indulged in large scale violence even against the Government machinery. According to learned State counsel, if the petitioner is released on bail, he will definitely indulge in similar activities, causing a serious threat to the security and safety of entire society.

10. The record has been perused carefully.

11. A perusal of record shows that allegations against the petitioner are with regard to commission of offence of kidnapping and causing serious injuries on the person of complainant.

12. In addition to above, the above-named allegations also reveals that in fact the offence committed by the assailants while taking away the mobile phone of the petitioner by a group of more than five person may amount to decoity and not an offence of snatching as defined under Section 379(B) of IPC. The above-mentioned offence is an offence of very serious nature. However the final decision in this regard shall be taken by the learned trial Court, without being influenced by the above-said observation.

13. Taking into consideration the manner in which the offence was committed and the purpose for which it was committed, in my opinion the release of petitioner on bail will generate a very strong wrong signal. It is also apparent that if released on bail there are very strong chance that the petitioner



may influence the witnesses.

14. Taking into consideration the cumulative effect of all the above-mentioned factors, it is hereby observed that the petitioner is not entitled for the benefit of bail.

15. As a sequel to above-mentioned observations, being devoid of merits, the present petition deserves dismissal. Hence, the same is hereby **dismissed**, accordingly.

(SURYA PARTAP SINGH)
JUDGE

11.02.2026

<i>vipin</i>	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No