

2026:PHHC:005027



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

205

CRM-M No.70830 of 2025
Date of decision: 15.01.2026

Kaptan Singh ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amit Chaudhary, Advocate and
Mr. Tarun Deora, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

Mr. Sukhdeep Singh, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
501	16.10.2025	Zirakpur, District SAS Nagar	115(2), 127(6), 303(2), 191(3) and 191 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2026:PHHC:005027



2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Suhird alleging therein that he was a 76 year old unmarried person. He was having a dispute with regard to the property owned by him, with his brothers. He was living alone at his farmhouse. On 26.09.2025, four unknown persons came to his farmhouse. Two of them had also visited him previously. They persuaded the complainant to get married. Thereafter, they abducted him and took him away in a car to Panipat. He was kept confined for three days and was extended beatings. He was pressurized to sign an agreement to sell his land at Sanauli to them or to execute a general power of attorney in their favour but he refused. They used to address one of them with the name of Kaptan Singh who disclosed to the complainant that he was involved in a case at Panipat and had to give an amount of Rs.1 crore to the Sessions Judge there. He made the complainant sign some papers by saying that he will collect money on the basis of agreement to sell and will return his papers and otherwise he was threatened to be injected with something. Out of fear, the complainant signed those papers after he was taken to some dhaba. He further alleged that he managed to flee in the morning of 13.10.2025 and came to his house. He found his house to be locked and some belongings to be missing. On his complaint, the petitioner was nominated as an accused. Investigation proceedings have

2026:PHHC:005027



been initiated and are underway. Apprehending his arrest, he moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, SAS Nagar (Mohali) vide order dated 28.11.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case by the complainant who himself is involved in another case bearing FIR No.297 of 2025 on the allegations of establishing physical relations with some female. There is delay of 21 days in lodging of the FIR. The version as narrated in the same is totally vague and false. The complainant did not get his medical examination conducted. The petitioner is a daily wage worker who worked in the agricultural land of the complainant on several occasions. Infact, the complainant himself had insisted him to take him to Panipat to meet a girl. He developed relations with her on promise of marriage but refused to marry subsequently. The custodial interrogation of the petitioner is not required. No recovery is to be effected from him. He is ready to join the investigation. It is, therefore, urged that he deserves to be extended benefit of pre arrest bail.

4. Status report has been filed. Learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner. His custodial interrogation is required for conducting thorough investigation

2026:PHHC:005027



in the matter. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have wrongfully confined the complainant and to have voluntarily caused injuries to him. He is also alleged to have committed theft of his belongings. There is delay of 21 days in reporting the matter to the police. It is only on thorough assessment of the evidence to be produced during trial that any conclusion as to involvement of the petitioner and commission of subject offences by him can be drawn. Given the nature of the allegations as levelled against the petitioner and the circumstances peculiar to the case, this Court is of the considered opinion that pre trial incarceration of the petitioner is not required. The same even otherwise cannot be a replica of post conviction sentencing. Taking into consideration the above discussed facts, this petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his surrendering before the Investigating Officer/Arresting Officer within a period of ten days from the date of passing of this order and shall join investigation and on his surrender within that period, he shall be released on bail by the Investigating Officer/Arresting Officer on furnishing personal/surety bonds to its satisfaction and subject to the following conditions:-

(i) The petitioner shall cooperate with the investigation and

2026:PHHC:005027



shall appear before the Investigating officer/Arresting officer as and when required.

(ii) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

(iii) He shall not commit any similar offence while on bail.

(iv) He shall not leave the country without prior permission of the Court.

(iv) He shall deposit his passport if any, with the jurisdictional Magistrate/trial Court.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

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

15.01.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No