

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11149-2025

Reserved on : March 11, 2025

Pronounced on : March 12, 2025

Parvinder Singh

..... **Petitioner**

Versus

State of Punjab

..... **Respondent**

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Argued by: Mr. P.S. Ahluwalia, Advocate,

Mr. Jasraj Singh, Advocate, and

Mr. Jaiveer Singh, Advocate,

for the petitioner.

Mr. Yuvraj Singh Tiwana, AAG, Punjab.

Mr. Vishavjeet Singh Rishi, Advocate,

for the victims.

NAMIT KUMAR, J.

1. Apprehending his arrest in case FIR No.8 dated 22.01.2025 registered under Sections 127, 356, 74, 75, 61(2) of the Bharatiya Nyaya Sanhita, 2023 (fort short 'BNS'), petitioner has approached this Court under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (in short 'BNSS') seeking pre-arrest bail.

2. Present FIR has been registered at the instance of Lady Sub Inspector Sunita Kaur alleging that on 22.01.2025, she along with other officials were in search of suspicious persons on a private vehicle and were present at Shivpuri Chowk, Noorwala Road, Ludhiana, when a special informer came and informed her that a video was going viral on social media in which three girls, an elderly

woman and a boy with blackened faces could be seen with white placards hanging around their necks on which "*I am a thief, I confess my guilt*" was written. It is further alleged that said three girls, elderly woman and the boy in question were being paraded around in the streets of Gurpeet Nagar, Bahadur Ke Road, Ludhiana, by some unknown persons, who worked at Deep Collection Factory, Gurpreet Nagar, Bahadur Ke Road, Ludhiana. The said three girls, elderly woman and the boy in question are accused of stealing cloths by the owner of the said factory, namely, Parvinder Singh. The act of hanging placards around the necks of the said persons with writing "*I am a thief, I confess my guilt*", making their video viral on social media and maligning their image by factory owner Parvinder Singh, Manager Manpreet Singh, worker Mohammad Cash and other unknown persons attract the commission of offence under Sections 127, 356, 74, 75, 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further submits that all the offences except under Sections 74 and 75 of the BNS are bailable. He further submits that two other co-accused namely, Manpreet Singh and Mohammad Muskan Raza @ Mohammad Cash have already been granted the concession of regular bail by the Court of learned Additional Sessions Judge, Ludhiana, vide order dated 10.02.2025. He further submits that the petitioner is ready to join the investigation, co-operate with the investigating agency, therefore, he be granted concession of pre-arrest bail.

4. *Per contra*, learned State counsel, assisted by learned counsel for the victims, while filing the status report by way of affidavit of Devinder Kumar, Assistant Commissioner of Police (North), Ludhiana, has opposed the prayer for grant of pre-arrest bail to the petitioner by stating that the petitioner is the main

accused and his custodial interrogation is required as the mobile phone and NVR/DVR installed in his factory are required to be recovered from the petitioner.

5. I have heard learned counsel for the parties and perused the paper book with their able assistance.

6. A perusal of the status report filed by the respondent-State reveals that the mobile phone of the accused and NVR/DVR installed in his factory is yet to be recovered and required for proper and fair investigation of the matter. Furthermore, the Court of Additional Sessions Judge, Fast Track Special Court, Ludhiana, while granting regular bail to the co-accused namely Manpreet Singh and Mohammad Muskan Raza @ Mohammad Cash, vide order dated 10.02.2025, has specifically recorded the fact that 'it is not yet known as to from whose mobile phone the video clip showing the blackened faces of the victim and having a cardboard in their neck has gone viral and who has blackened the faces of victim and put cardboard in their necks with incriminating wording', so the concession of the regular bail to the abovesaid co-accused persons has been granted on the edge of pending investigation and on account of 'benefit of doubt'. Moreover, the Court of learned Additional Sessions Judge, Ludhiana, while rejecting pre-arrest bail of the petitioner, has specifically recorded the fact(s) that one of the victim is minor and the application has been given to the police to add the offense under Section of POCSO Act.

8. After considering the above facts and circumstances as well as the material on record, this Court is of the considered opinion that the specific allegations that the petitioner alongwith co-accused have blackened the faces of the victims despite the fact that one the victim was minor, who were working in his factory; cardboards were hanged around the neck of the victim by writing

incriminating material “*I am a thief, I confess my guilt*” on white placards; victims were paraded in the market openly and thereafter their video was made viral on the social media also, makes it clearly discernible that the act of the accused persons including the petitioner was not an acceptable human act by any stretch of imagination rather it was an act of “Taliban-style punishment” by taking the law in their own hand and not realizing that such an act may affect and tarnish the social image of the victims, out of whom some are girls and even minor, and this act may also spoil their future by lowering their reputation and image before the society at large, which is a serious concern. Further, the investigation is at initial stage and the petitioner is evading the process of law, therefore, keeping in view of the gravity of the offense, no ground is made out to grant concession of anticipatory bail to the petitioner, as his custodial interrogation is required for recovery of his mobile phone and NVR/DVR installed in his factory and if he is granted anticipatory bail, as prayed at this stage, he may influence or intimidate the witnesses and destroy the evidence.

9. Dismissed. However, if the petitioner chooses to surrender before the trial Court within a period of 10 days from today and moves an appropriate application seeking regular bail, in such eventuality, the trial Court shall consider and decide the same in accordance with law as expeditiously as possible.

10. However, nothing observed here-in-above shall be construed to be an expression of opinion on the merits of the case during trial.

March 12, 2025
mkkoundal

(NAMIT KUMAR)
JUDGE

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