

GURSHER SINGH SANDHU V/S STATE OF PUNJAB

Present: Mr. P.S. Ahluwalia, Sr. Advocate with
Mr. Vipul Joshi, Advocate
Ms. Bhavi Kapur, Advocate for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. G. K. Mann, Sr. Advocate with
Ms. Shruti, Advocate for the complainant.

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i) Petitioner-Gursher Singh Sandhu has filed **CRM-M-27263-2026** under Section 482 of BNSS, seeking anticipatory bail in case **FIR No. 33** dated 15.10.2024, under Sections 419, 465, 467, 468, 471 IPC (corresponding Sections 319(2), 336(2), 338, 336(3) and 340(2) of BNS) and Section 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Punjab State Crime at Mohali, District SAS Nager Mohali, Punjab.

Petitioner-Gursher Singh Sandhu has filed **CRM-M-30808-2026** under Section 482 of BNSS, seeking anticipatory bail in case **FIR No. 21** dated 20.06.2025, under Sections 13(1)(a) read with Section 13(2) of prevention of Corruption Act, 1988 and under Sections 61(2) of BNS (corresponding Section 120-B IPC), registered at Police Station Vigilance Bureau, Flying Squad-1 Punjab at Mohali District SAS Nagar Mohali Punjab.

ii) Case of the prosecution is borne out from paragraph Nos. 4 and 5 of the order dated 15.01.2025 (Annexure P-31) passed by learned Additional Sessions Judge, Mohali, whereby first bail application of the petitioner has been dismissed and the same reads as under:

1. xxxx

2. xxxx

3. xxxx

4. *Perusal of the record indicates that the FIR has been registered on the complaint made by Baljinder Singh in which detailed inquiry was conducted by Deputy Inspector General Police, Range Rupnagar. As per the FIR, the case has its genesis in a Criminal Writ Petition bearing no. 6724 of 2024 filed by complainant Baljinder Singh in the Hon'ble High Court against Sh. Gursher Singh Sandhu, DSP, Special Cell, SAS Nagar claiming protection of his life and liberty. The order dated 18.07.2024 was passed by the Hon'ble High Court directing the State to get the matter inquired/investigated through Senior Gazetted officer. In deference to the aforesaid order, Director General of Police, Punjab directed the investigation/inquiry to be conducted by Deputy Inspector General of Police, Range Rupnagar, Rupnagar. On inquiry, a report was prepared which recommended the registration of the FIR under Sections 419, 465, 467, 468, 471 IPC and Section 13(2) of the Prevention of Corruption Act, 1988.*

5. *During inquiry, it was prima facie found that DSP Gursher Singh Sandhu had been indulging in large scale extortion by arranging filing of false complaints against different persons and thereafter, compelling them to shell out money under the threat of lodging criminal FIR's against them. He was also prima facie found to be indulging in benami transactions and laundering proceeds of the crime. Complainant Baljinder Singh was joined in the inquiry. He suffered different statements before the SP (Investigation) who assisted DIG in the inquiry. DSP Gursher Singh was also joined. Different persons were examined before the inquiry officer. Besides examining the different victimspersons, the following documents were submitted to the inquiry officer:*

- i. Transcripts of audio recordings/voice messages exchanged between the complainant and the applicant.*
- ii. Screen shot of whatsapp conversation where DSP Gursher Singh had shared the contact of Deep Chand, Sarpanch.*
- iii. Copy of form regarding purchase of plot by Parvinderjit Singh- Palm Eco City dated 30.07.2012*
- iv. Rajv Kumar's Power of attorney for sale of 10 marla plot*
- v. Cancellation deed regarding 10 marla plot*
- vi. Audio recording/voice messages as submitted by the petitioner Baljinder Singh in a pen drive.*
- vii. Photo copy of cheque no. 129193, Account no. 00130159265 ICICI Bank.*

iii) As per the allegations, there were close relations between the petitioner and complainant-Baljinder Singh. At the instance of the petitioner, who was posted as DSP, complainant-Baljinder Singh, used to make false complaints to the SSP, Mohali, against different persons in the area, which were thereafter marked to the petitioner. Some of the complaints are as follows:

- a) Complainant-Baljinder Singh, submitted a complaint against Ashok Kumar and Samo, residents of Village Gobindgarh, SAS Nagar, alleging therein that a ten-marla plot belonging to Rajiv Kumar, for whom Baljinder Singh was the power of attorney holder, had been illegally occupied by them.***
- b) A complaint was made against Anuj Goyal, alleging that an area measuring two kanals situated in Village Daun, Mohali, had been purchased from Ashok Goyal by Baljinder Singh (complainant herein), and that Anuj Goyal, resident of***

Panchkula, had been threatening him by claiming ownership over the said plot.

c) One complaint was submitted by Parwinderjit Singh, who is presently residing in Canada, against Manohar Singh and a real estate company operating in New Chandigarh. In the said complaint, it was alleged that

the owner of the company, Tarninder Singh, had received token money amounting to Rs. 18 lakhs from Parwinderjit Singh for the purchase of a plot in New Chandigarh but was not returning the said amount. Petitioner and the complainant in the present case, i.e., DSP Gursher Singh and Baljinder Singh, respectively, allegedly knew that Tarninder Singh was known to the complainant. It was further alleged that petitioner-Gursher Singh, forced Parwinderjit Singh to compel Tarninder Singh to pay Rs. 50 lakhs to DSP Gursher Singh for resolving the dispute.

d) Another complaint was allegedly made by Baljinder Singh at the instance of DSP Gursher Singh (present petitioner) against Kamaljit Singh of Jalandhar, by threatening him that he had taken Rs. 80 lakhs from the complainant, Baljinder Singh, for getting his son appointed as a Tehsildar in the State of Punjab.

iv) During the course of investigation, certain WhatsApp messages exchanged between the complainant and Surinderjit Singh Walia were obtained. One audio recording between the complainant, Baljinder Singh, and DSP Gursher Singh (the present petitioner) was also recovered [para 8, page 154].

v) Complainant also levelled allegations that the petitioner had obtained his signatures on blank papers and thereafter used those signed papers to draft complaints against different persons, with the intention of extorting huge amounts of money from them. It was further alleged that the petitioner had got a disputed property executed in the name of the complainant, Baljinder Singh. Another allegation was that a ten-marla plot situated in Village Gobindgarh, which was owned by Rajiv Kumar, was in the possession of Ashok Kumar and his family.

(vi) Looking at the nature of allegations against the petitioner, when asked by this Court, learned State counsel, assisted by Saurav Jindal, PPS, S.P. (Investigation), SAS Nagar, Mohali, assured the Court that the role of the complainant would also be examined to ascertain whether the offences were made out against the petitioner alone or against the complainant or any other person as well.

(vii) Respondent State was expected to look into the said aspect on its own. However, till date no such consideration or exercise seem to have been undertaken by the respondent-State, thus, the delay on such aspect is attributable to the State itself.

(viii) Before hearing arguments in detail of all the concerned counsel/parties, this Court considers it appropriate to get ascertained the factual as well as legal position through the State. Accordingly, without expressing any kind of opinion on the facts of the case or on merit, present proceeding is deferred to enable the State to place before the

Court the complete factual and legal position, including the role of the complainant and any other person, if so warranted.

(ix) At this stage, Ms. G.K. Mann, learned Senior Advocate appearing for the complainant, questioned as to why such a direction had been issued to the State at the preliminary stage, when the complainant had not even been heard, and submitted that the observation made hereabove reflected complete bias on the part of the Court.

(x) This Court would refrain from commenting upon the remarks made by Ms. G.K. Mann, learned Senior Advocate, and would rather leave it to Ms. G.K. Mann, learned Senior Advocate, to examine the remarks, which were not conducive to the proceedings, after leaving the Court and upon considering the matter in its entirety. However, this Court would express its concern that such conduct or such remarks are never expected from worthy senior members/designated Senior Advocates of the Bar.

(xi) List on 07.09.2026.

xii) Till the next date of hearing, arrest of the petitioner shall remain stayed, and the other issues shall be examined on the next date fixed before this Court.

xii) A photocopy of this order be placed on the file of another connected case.

**(SANJAY VASHISTH)
JUDGE**

**August 17, 2026
Rashmi**