

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

CRM-M-12331-2022  
Date of Decision:-**05.09.2022**

RAJIV KUMAR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

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Present:- Mr. Randeep S. Dhull, Advocate  
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

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**KARAMJIT SINGH, J.** (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.401 dated 31.8.2016 registered under Sections 216, 364-A, 387, 511, 120-B, IPC and Section 25 of Arms Act at Police Station Kaithal City District Kaithal.

As per the allegations appearing in the FIR on 31.8.2016 at about 5:30 pm complainant-Dr. Rajiv Sood was sitting in his clinic i.e. Sood Eye and Maternity Hospital and in the meanwhile two boys came there and they introduced themselves as Naveen Kavalpuriya and Vijay Pandit and told the complainant that Surender Gyeong and Kaushal resident of

Gurugram had sent them and then Naveen put his mobile on the ear of the complainant and asked him to talk to the person who was on the other side of the phone and the said person identified himself as Surender Gyeong and told the complainant to hand over ₹20 lac to said two boys or otherwise he would kill him and his family. On this, the complainant made request to give him some time and then the said caller told the complainant that his boys would again come after some days to take money or otherwise to face dire consequences, then the said boys left the clinic of the complainant. After some time the complainant reported the matter to the police.

During investigation of the case, the petitioner was arrested and later on granted regular bail. However, the petitioner jumped bail on 29.7.2019 and later on declared as proclaimed offender on 10.9.2019 and was re-arrested on 9.11.2020. Thereafter the petitioner was granted interim bail as his father died. Now petitioner is in custody since 13.7.2021. The counsel for the petitioner submits that co-accused have already been granted bail and that during trial the complainant has not supported the case of prosecution. The counsel for the petitioner further submits that in all the other cases faced by the petitioner, he is on bail.

The State counsel on instructions from ASI Rajesh Kumar has not refuted the fact that now the petitioner is in continuous custody since 13.7.2021 and that the trial is going on and that the complainant has been declared hostile as he did not support the case of prosecution. The State counsel has also not disputed the fact that the co-accused have already been given benefit of bail.

In view of the above, as it will take time for the trial to conclude, so no purpose is going to be served by keeping the accused behind the bars for any longer.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

**05.09.2022**  
Gaurav Sorot

**( KARAMJIT SINGH )**  
**JUDGE**

Whether reasoned / speaking?      Yes / No

Whether reportable?      Yes / No