

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

**CRM-M-21303 of 2022(O&M)  
Date of Decision: 15.07.2022**

**Hari Mohan @ Bablu**

**...Petitioner**

**Versus**

**State of Haryana**

**...Respondent**

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

**Present:- Mr. S.S. Kaushik, Advocate  
For the petitioner.**

**Mr. Gorav Bansal, AAG Haryana.**

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**KARAMJIT SINGH, J.**

Reply by way of affidavit of Assistant Commissioner of Police, NIT Faridabad filed today in Court is taken on record.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in FIR No. 04 dated 05.01.2022, registered under Sections 343, 364-A, 379-A, 379-B and 120-B IPC, Police Station SGM Nagar, Faridabad.

The counsel for the petitioner contends that the petitioner was not named in the FIR and was nominated as accused on the basis of alleged disclosure made by co-accused Rinku. The counsel for the petitioner further contends that the petitioner who was arrested in the present case on 13.03.2022, is presently lodged in judicial custody and except for his own mobile phone nothing was recovered from him. The counsel further contends that now the petitioner is not required by the

police as the police has already presented the challan, after completion of the investigation and even the charges have been framed by the trial Court. It will take time for the trial to conclude. The counsel further contends that co-accused Feru and Pankaj have already been granted bail by the Court of Sessions vide orders dated 17.03.2022 (Annexure P-3) and 08.04.2022 (Annexure P-4). So, prayer is made for grant of regular bail to the petitioner.

The present petition is opposed by the State counsel who submits that the name of the petitioner cropped up during the investigation of the case as his mobile phone was used to make ransom call to the family of the victim. The State counsel further submits that the petitioner cannot claim parity with co-accused Feru and Pankaj who have been granted regular bail. However, the State counsel has not refuted the fact that after investigation challan has been presented in the Court concerned and that the petitioner is in custody since 13.03.2022. The State counsel made prayer that the present petition be dismissed.

I have considered the submissions made by learned counsel for the petitioner as well as learned State counsel.

Undoubtedly, the petitioner was not named in the FIR which was registered on the basis of statement of complainant Rinki in which she alleged that her husband Rajiv, an auto driver was kidnapped and that some unknown caller called her from mobile phone having number 9717194354 and 8394072129 demanding ransom. The allegations against the present petitioner are that his mobile phone was used for making the aforesaid ransom calls. The said mobile phone has

already been taken into custody by the police. It is matter of evidence as to whether the aforesaid ransom call was made by the petitioner or by someone else using his mobile phone. The petitioner is in custody since 13.03.2022. The victim namely Rajiv was not recovered from the custody of the petitioner and rather he is stated to be recovered from the premises belonging to co-accused Rinku, who has already been arrested in this case. The police has already completed the investigation, but it will take considerable time for the trial to conclude. Admittedly, co-accused Feru and Pankaj are granted bail by the Court of Additional Sessions Judge, Faridabad. In the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, instant petition is allowed. The petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate concerned.

**15.07.2022**

Jiten

**(KARAMJIT SINGH )  
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**