

In the High Court for the States of Punjab and Haryana  
At Chandigarh

CRM-M-1203-2024 (O&M)  
Date of Decision:-16.1.2024

Pardeep ... Petitioner  
Versus  
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.S. Chahal, Advocate for  
Mr. Madhur Jangra, Advocate for the petitioner.  
  
Mr. Munish Sharma, DAG, Haryana,  
assisted by ASI Surender.

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| FIR No. | Dated     | Police Station                        | Section/s                                                                               |
|---------|-----------|---------------------------------------|-----------------------------------------------------------------------------------------|
| 598     | 23.9.2017 | City Bahadurgarh,<br>District Jhajjar | 364-A, 386, 342, 506 of Indian<br>Penal Code, 1860 and Section 25<br>of Arms Act, 1959. |

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of the aforementioned FIR.
2. The FIR was lodged at the instance of Xaviour Mathew, wherein he alleged that on 22.9.2017, his son Abhishek had gone to college in the morning but did not return home and later in the day he received a phone call from his son's mobile phone, but some unknown person was speaking and who demanded a ransom of Rs.76 lakhs for release of his son. It is further the case of prosecution that the police was, however, able to track the petitioner with

the help of call-detail record and it transpired that the petitioner was a neighbour of the victim. When the petitioner was apprehended by the police he led the police to the place, where the victim had been kept confined, who was got released. It is further the case of prosecution that another co-accused namely Deepak was also present in the premises, where the victim had been confined and tried to run away upon noticing the police, but was apprehended.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on account of some differences amongst the neighbours and that, in any case, since the petitioner has been behind bars for a substantial period of about 6 years, 3 months and 18 days, the petitioner deserves the concession of bail.
4. Opposing the petition, learned State counsel informed that since there is convincing evidence in the shape of the call-detail record and that when the petitioner was apprehended by the police, he led the police to the place where the victim had been kept confined and the victim was duly recovered and, as such, his complicity is clearly evident. Learned State counsel also informed that the petitioner happens to be involved in two other cases and that while he stands acquitted in one case, another case for offences under Sections 188 and 307 IPC is still pending. Learned State counsel has not disputed the custody period of the petitioner being 6 years, 3 months and 18 days. It has also been informed that as on date 18 PWs out of the cited 41 PWs have been examined.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case but having regard to the long custody of the petitioner i.e. about 6 years, 3 months and 18 days

and also the fact that the conclusion of trial is likely to consume time inasmuch only 18 PWs out of the cited 41 PWs have been examined so far, no useful purpose will be served by further detaining the petitioner behind bars. The instant petition, as such, is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

16.1.2024  
pankaj

( Gurvinder Singh Gill )  
Judge

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |