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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-32325-2024(O&amp;M)

Date of Decision: 10.12.2024

Ramjeet

...Petitioner

vs.

State of Haryana

...Respondent

**Coram : Hon'ble Mr. Justice N.S.Shekhawat**

Present : Dr. Anmol Ratan Sidhu, Senior Advocate with  
Ms. Kanishk Swaroop, Advocate  
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Vikas Bishnoi, Advocate  
for the complainant.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.196 dated 26.05.2024 registered under Sections 384, 387, 506, 34 of IPC (Section 387 added later on), at Police Station Sector-56, District Gurugram, Haryana.

2. The FIR in the present case was registered on the basis of the statement made by Laxman Meena and the same has been reproduced below:-

*“To, SHO sir, it is submitted that I am Laxman s/o Jagdish Prasad Meena r/o Village Rajnauta, P.S. Prapura, district Kotputli, currently tenant at village Vazirabad, Gurugram, and run a tea stall in sector-56 HUDA Market. Today dated 26.05.2024, I received a call on my mobile No. 9899356543 from Ramjeet Pradhan village Bandhwadi mobile No.9999334977, and said that you refused my boy for tea and started abusing me and said that he has breaking arms and legs of Baba and that no one can harm him.*

*I have got bail from the court today and you pay me 220,000 or else I will get your shop closed and get your arms and leg cut and will kill you, and you come to my shop. I have got the recording on my phone and he threatened to kill me, and Ramjit's son Ronik called the boy who works at my shop from mobile 9582303370 on mobile no. 8826837024 and asked about my whereabouts. The boy who works at Khalsa Mobile Shop came to my shop and got Prakash to talk on the phone with Ramjeet who said that close the shop in two minutes or else he will come there, and he will kill him as well. Kindly take legal action against Ramjeet and Ronik. Ronik and Ramjeet pose a threat to my life. Applicant Laxman 9899356543.”*

3. Learned Senior counsel for the petitioner contends that the complainant was earlier a tenant at the shop of the petitioner and the petitioner had to get the shop vacated from him as he did not make the payment of rent on time. The petitioner received many complaints from Municipal Corporation due to the encroachment done by the complainant on the backside of the shop. Thus, there was a dispute between the petitioner and the complainant. However, by coining a false version, the complainant got the present case registered against the petitioner and co-accused. He further contends that the petitioner was arrested on 27.05.2024 and the challan has already been presented against him.

4. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender and one more case of similar nature has been registered against him.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, the petitioner is stated to be in custody for the last almost 07 months and after completion of investigation, challan has already been presented against him. Moreover, no witness has been examined so far. Thus, further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

- (vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

8. Pending applications, if any, stand disposed of.

10.12.2024.  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |