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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-828-2025
Date of Decision:-04.02.2025

SANDEEP

... PETITIONER

Versus

STATE OF HARYANA

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Manish Soni, Advocate for the petitioner.
Mr. Ramender Singh Chauhan, AAG, Haryana.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) the petitioner is praying for anticipatory bail in the following FIR (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
411	12.12.2024	232,(1), 296 B, 351 (3), 61 (2) (A) of BNS	Pataudi, District Gurugram

2. Argument heard.
3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that no specific overt act is attributed to the petitioner nor has he uttered anything against the complainant. He contends that a false case has been planted on the petitioner to implicate him in the same. Although no



case is made out against him as has been projected in the allegations levelled in the FIR. He submits that the petitioner is ready to join the investigation, hence prayed for grant of concession of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel referring to the reply submitted by the State has contended that the petitioner while being present alongwith two accomplices in a car can be heard in the video extending threats to kill the complainant by taking his name with his accomplices also extending threats to kill the complainant by proclaiming themselves to be the members of the gang of Jaildar. He submits that this aspect is clearly seen in the video uploaded by the petitioner and the co-accused. The petitioner is already having 5 cases registered against him of murder, extortion, attempt to kill etc and his custodial interrogation is required as the mobile from which the aforesaid video has been uploaded is yet to be recovered, hence prayed for dismissal of the petition.

5. After considering the arguments and perusing the record, it transpires that the instant FIR was registered on the complaint moved by the complainant alleging that one Ajay Jaildar who is murderer of his brothers Sujit Kumar and Paramjit Thakaran on 25.02.2022 regarding which FIR No. 119 dated 25.02.2022 under Section 302, 148,149, 120B IPC and 25 of Arms Act was registered at P.S. Pataudi. The said accused Ajay Jaildar and his associates were in jail in that case and in the same the complainant alongwith Sumer Singh, Rajo Devi and Gaurav were the main witnesses. It is alleged by the complainant that said Ajay Jaildar has been threatening him by different means and on 09.12.2024 while he along with his nephew



Gaurav and his employee Monu were present in the house at the village, then Gaurav, another witness in the murder case informed him that the petitioner has posted a video on a facebook account wherein he alongwith his associates were threatening to kill and hurling abuses. As per the complainant this video has been prepared by his associates to threaten the complainant in order to desist him from giving evidence in the case. It was alleged that the petitioner and his accomplices are threatening the complainant at the instance of his maternal uncle Ajay Jaildar who is facing trial in the aforesaid double murder case.

6. It is worthmentioning here that the complainant of the case happens to be the prime witness in the double murder case pertaining to the murder of his real brothers namely Sujit Kumar and Paramjit Thakaran regarding which FIR No. 119 dated 25.02.2022 under Section 302, 148,149, 120B IPC and 25 of Arms Act was registered at P.S. Pataudi, wherein Ajay Jaildar and his associates have been arrested, are facing trial, and are presently lodged in jail. The aforesaid video (Annexure P-2) has been uploaded on the facebook account of the petitioner wherein petitioner alongwith his accomplice while sitting in a car are extending threats to kill the complainant by proclaiming themselves to be the associates of Jaildar. The purpose of uploading the video on the facebook account by the petitioner is nothing but to extend threats to the complainant with the aim to desist him from appearing as witness against the prime accused. The petitioner is having 5 more criminal cases registered against him pertaining to murder, extortion, attempt to murder etc and his custodial interrogation is



required to recover the phone where from the video was uploaded. Therefore, considering the serious nature and gravity of offence, no case is made out in favour of the petitioner for grant of anticipatory bail in the present petition, the same is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

04.02.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No