

CRM-M-6856-2025

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

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CRM-M-6856-2025

Date of decision: 21st April, 2025

Lalit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

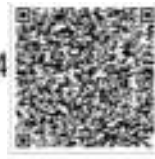
Present: Mr. Lalit Kumar Yadav, Advocate for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 223 dated 03.09.2024 registered under Sections 140(4), 3(5), 115(1), 351 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 109 of BNS added later on, at Police Station Udyog Vihar, Gurugram, Haryana.

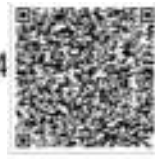
2. The aforementioned FIR was registered on the basis of a complaint lodged by complainant Nitesh Yadav, alleging therein that in the morning of 03.09.2024, his father Satpal Yadav had gone towards the auto stand with his auto-rickshaw at village Dundahera and had been abducted from there by the present petitioner and the co-accused Shivam Azad and Arvind in an i20 vehicle. He also informed that his father had been taken to Bagpat, Uttar Pradesh. Initially, a case under Section 140(4) read with



Section 3(5) of BNS was registered. Investigation proceedings were initiated. The petitioner and co-accused Shivam were joined into investigation on 04.09.2024. They were arrested. On interrogation, the petitioner suffered disclosure statement admitting his involvement in abduction of the victim and also the fact that he had taken the victim to his land at village Pura Mahadev, District Bagpat, U.P. and he had been assaulted with *dandas*. The victim was recovered by the Bagpat Police on 03.09.2024 and was admitted in Community Health Centre. He was medically examined. Subsequently, offences under Sections 115(1), 351 and 109 of BNS were also added. Investigation stands completed and challan has been presented in the Court.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 04.09.2024. Trial would take time. His further detention would not serve any useful purpose. The victim had sustained simple injuries only as per the medico legal report dated 03.09.2024 and the allegation that the injuries so sustained by him were dangerous to life, is false. With these broad submissions, it is urged that the petitioner deserves to be released on bail

4. Status report has been filed. It is argued by learned State counsel that the victim had sustained serious injuries one of which has been opined to be dangerous to life, by a board of Doctors. The material witnesses are yet to be examined. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. One of the co-accused is yet to be arrested. As such, it is argued that the petition does not deserve to be allowed.



5. Rival submissions as made by both the parties have been given due consideration.

6. The petitioner along with the co-accused is alleged to have abducted the victim, to have taken him to a village in District Bagpat, U.P., is further alleged to have caused several injuries including head injuries on his person, one of which was declared to be dangerous to life and is further alleged to have criminally intimidated him. He is in custody since 04.09.2024. Trial would take considerable time to conclude. There is no basis for the contention that he would intimidate the witnesses. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case lest the same prejudices the case of either of the parties, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned and further subject to the condition that he would not try to contact, induce or intimidate either the complainant or the victim or any other material witnesses during the pendency of the trial.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

21st April, 2025

Parveen Sharma

1. Whether speaking/ reasoned
2. Whether reportable

: Yes / No
: Yes / No