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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

307

CRM-M No.7421 of 2025
Date of Decision: 02.04.2025

Vikas @ Suraj ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ajay Ghangas, Advocate,
for the petitioner.

Mrs. Sheenu Sura, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
250	10.09.2022	Bhondsi, District Gurugram	364-A, 387, 120-B, 506 and 34 of IPC

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was lodged on the complaint of Ompal alleging that his daughter had been kidnapped on 09.09.2022. On the same day, he received a ransom call on his cell phone whereby demand for a sum of Rs.50 lakhs was raised and otherwise his daughter was threatened to be killed. At the same time, the daughter of co-accused Rinki Tiwari who was accompanying, the daughter of the complainant was also kidnapped.

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Information was given to the police. However, the kidnapped girls were left by the kidnappers at Hero Honda Chowk, Gurgaon on the same day. The complainant suspected that Rinki Tiwari had a hand in the kidnapping of his daughter and by hatching conspiracy with other persons, she had got his daughter kidnapped. The above named Rinki Tiwari was nominated as as accused and arrested on 10.09.2022. Statements of the victim girls under Section 164 of Cr.P.C. were recorded. The accused Rinki Tiwari suffered disclosure statement on the basis of which the present petitioner and co-accused Sagar were nominated as such. They were also arrested on 10.09.2022. The mobile phone used by the petitioner was recovered at his instance. The test identification parade of the petitioner and co-accused was conducted and they were identified by the victim girls. Investigation stands completed and the petitioner along with co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. The disclosure statement of the co-accused cannot be considered to be admissible in evidence. All the material witnesses have since been examined. There are no chances of petitioner's intimidating them. Neither of these witnesses has connected the petitioner with the offence of kidnapping though the victim Lavanya i.e. daughter of the complainant identified him as his kidnapper during her examination-in-chief but during cross-examination she too stated that she could not see the kidnappers as they were having covered faces. His

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further incarceration would not serve any useful purpose. The trial would take time to conclude. The co-accused has already been extended benefit of bail. He does not have any criminal antecedents. Therefore, it is urged that he too deserves to be released on bail.

4. Status report has already been filed. It is argued by learned Deputy Advocate General, Haryana that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have hatched a conspiracy with the co-accused Rinki Tiwari and other accused and in pursuance thereof, he is alleged to have abducted the daughter of the complainant for ransom and as per the further allegations, the co-accused and himself has left the daughter of the complainant as well as of co-accused Rinki Tiwari at Hero Honda Chowk, Gurgaon when the matter was reported to the police. The petitioner is in custody since 10.09.2022. The trial would take time. The material witnesses have been examined. It is a debatable question as to whether the statements of the victims inspire confidence for connecting the petitioner with the commission of the subject offences? The petitioner has no criminal antecedents. The victims had not been recovered from his custody. One of the co-accused is already on bail. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Accordingly,

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the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

02.04.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No