

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

CRM-M-9812-2025
Reserved on: 01.04.2025
Pronounced on: 22.04.2025

Ravinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Naveen K. Sheoran, D.A.G., Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
263	22.04.2024	Adarsh Nagar, Ballabgarh, Faridabad	323, 365, 379-B, 506 IPC and 25 of Arms Act (Section 364-A, 452, 120-B and 201 IPC added later on)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. In the bail application, the petitioner is silent about criminal antecedents. As per custody certificate, petitioner is not involved in any other case.
3. The facts and allegations are being taken from translated version of FIR, which reads as follows:

“To, SHO, P.S. Adarsh Nagar Faridabad. It is requested that I am Sunita Meena wife Satish Meena resident of house no. 2487, Sector 62, Ballabhgarh, Faridabad. My husband works in ICICI Bank CGO COMPLEX Delhi, our house is three storey. My in-laws live on the first floor and I along with my children live on the second floor and tenants live on the third floor. That on 21/22-2024 at around 12:30 A.M., my husband and his friend Amit Yadav resident of Govind Puri Delhi, ha reached our house on a scooty from Raja Nahar Singh metro station. My husband and his friend were sitting on the sofa on the first floor after washing their hands and mouth because my in-laws had gone to their village. At the same time, a boy entered their room through the stairs and he pointed the pistol at my husband and my husband's friend and snatched their phones and also snatched the money from my husband's pocket and then he took out a hammer from the bag in his hand and attacked my husband's friend on the head due

to which he bled profusely and became unconscious. That the person pointed the pistol at me and said that if I raise any noise, he will kill me and my husband, that I got scared. and did not make any noise, after that the person asked my husband to bring the keys of the car and my husband stood at the gate of my floor and asked me for the keys, which I silently gave the keys due to fear, which then the boy on the strength of GUN POINT PISTOL, kidnapped my husband and took him away in his car number DL 3GD 9913 MAHENDRA SUV. When my husband's friend Amit regained consciousness, we informed the police about this incident. Please take appropriate legal action against that unknown boy who has assaulted or snatched me at gunpoint and kidnapped my husband along with our car and my husband should be recovered safely. SD- Applicant Sunita Meena.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. He further prays for bail on the grounds of parity with co-accused namely Rishika who has been granted regular bail by a Co-ordinate Bench of this Court.

5. The State's counsel opposes bail and refers to the status report.

6. Petitioner in connivance with the main accused followed the vehicle in which abduction was done and he was continuously in touch with the main accused. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. The case of the petitioner is on almost equal footing as of co-accused Rishika.

7. Per paragraph 3 (f) of the bail petition, the petitioner has been in custody since 12.05.2024. Per the custody certificate dated 31.03.2025, the petitioner's total custody in this FIR is 10 months and 22 days.

8. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, co-accused already granted bail and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

10. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest

Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

11. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

12. This order is subject to the petitioner's complying with the following terms.

13. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

14. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall not enter the property, workplace, and residence of the victim until the statements of all non-official and informal witnesses in the trial are recorded. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to *Vikram Singh v Central Bureau of Investigation*, 2018 All SCR (CrI.) 458; and *Aparna Bhatt v. The State of Madhya Pradesh*, 2021:INSC:192, 2021 SCC Online SC 230.

15. Given the background of allegations against the petitioner, it becomes paramount to protect the victim, and their family members, as well as the members of society, and incapacitating the accused would be one of the primary options until the filing of the closure report or discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearm(s). [This restriction is being imposed based on the preponderance of evidence of probability and not of evidence of certainty, i.e., beyond reasonable doubt; and as such, it is not to be construed as an intermediate sanction]. Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days from release from prison and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case, provided otherwise permissible in the concerned rules. Restricting firearms would instill confidence in the victim(s), their families, and society; it would also restrain the

accused from influencing the witnesses and repeating the offense.

16. The conditions mentioned above imposed by this court are to endeavor to reform and ensure the accused does not repeat the offense. In Mohammed Zubair v. State of NCT of Delhi, 2022:INSC:735 [Para 28], Writ Petition (Criminal) No 279 of 2022, Para 29, decided on July 20, 2022, A Three-Judge bench of Hon'ble Supreme Court holds that "The bail conditions imposed by the Court must not only have a nexus to the purpose that they seek to serve but must also be proportional to the purpose of imposing them. The courts, while imposing bail conditions must balance the liberty of the accused and the necessity of a fair trial. While doing so, conditions that would result in the deprivation of rights and liberties must be eschewed."

17. It is clarified that if the petitioner violates any bail condition, the State and/or the victim may file an application for bail cancellation before the trial court, which shall be competent to cancel the bail or add more conditions. Furthermore, if the petitioner moves for deletion or dilution of any bail conditions, the trial court is empowered to do so.

18. **This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State shall file an application for cancellation of this bail before the Sessions Court, which shall have the liberty to cancel this bail.**

19. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

20. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

21. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

22.04.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.