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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.14111 of 2025
Date of Decision: 31.07.2025

Neeraj @ Baba ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sahil Choudhary, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
273	21.05.2022	Quilla Panipat, District Panipat	364A, 365, 341, 506 and 34 of IPC and 25 of Arms Act, 1959

2. As per the allegations, on 21.05.2022, Neeraj, brother of the complainant had gone from his shop towards his house on his motorbike but did not reach home. He also did not respond to the phone call made to him by the complainant. The complainant made call at his home and was informed that sometime back, 4-5 youths had come in a car and had made inquiries about Neeraj. The complainant started making search for his

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brother and came to know that he had been taken away by the occupants of a Bolero car. While alleging that his brother had been abducted, he prayed for taking action. After registration of FIR, investigation proceedings were initiated. During investigation, the petitioner along with the co-accused were arrested. They suffered disclosure statement admitting their involvement in the crime. Investigation now stands completed.

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. It was only after his arrest in case bearing FIR No.278 dated 23.05.2022 registered at Police Station Quilla, Panipat, that he was arrested in this case. He is in custody since 01.06.2022. The trial will take considerable time to conclude. No specific act had been attributed to him. His further incarceration would not serve any useful purpose. The co-accused Ankur and Parveen Kumar have been extended benefit of bail. On the ground of parity also, he deserves to be released on bail. It is, therefore, argued that the petition deserves to be allowed.

4. Per contra, it is argued by learned Deputy Advocate General, Haryana that there are serious allegations against the petitioner who along with the co-accused had abducted the brother of the complainant and had demanded ransom amount of Rs.80 lakhs. He is a habitual offender. There are chances of his committing similar offences if extended benefit of bail. It is, therefore, argued that he does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

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6. The petitioner along with the co-accused is alleged to have abducted the brother of the victim and is alleged to have made demand for extortion of money. Though he has criminal antecedents as several other cases have been registered against him but he cannot be denied benefit of bail due to that reason. He is in custody since 01.06.2022. The trial will take considerable time to conclude. Co-accused Ankur and Parveen Kumar whose case is on similar footing has been extended benefit of bail by Coordinate Bench of this Court. On parity, he too deserves to be released on bail. Even otherwise, it is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts, the petition is allowed and the petitioner is ordered to be admitted to bail during the pendency of the trial subject to his furnishing personal bonds as well as surety bonds by two sureties to the satisfaction of learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned. He will also disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance.

7. If the petitioner commits any similar offence then the respondent-State shall be at liberty to move the application for cancellation for bail.

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

31.07.2025
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(MANISHA BATRA)
JUDGE

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