

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

CRM-M-13794-2025
Reserved on: 09.07.2025
Pronounced on: 31.07.2025

Alok ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate
Mr. Joban Singh Dhaliwal, Advocate and
Ms. Malini Singh, Advocate
for the petitioner.

Ms. Harpreet Kaur, A.A.G., Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
173	23.10.2024	Civil Lines, District Gurugram	127(2), 140(2), 3(5), 308(5), 318(4), 336(3), 338, 340(2), 61(2) of BNS

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. Per paragraph 21 of the bail application and paragraph 25 of status report, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	1944	22.11.2022	217, 218, 419, 420, 467, 471, 120-B IPC and 7/13 of PC Act	Shivaji Nagar, Gurugram

3. The facts and allegations are taken from the status report filed by State counsel, which reads as follows:

“3. That the facts leading to the registration of FIR aforementioned are that a complaint was moved by complainant Umesh Chaudhary wherein the complainant had alleged that he was having two sons, the elder one being Aman and the younger one being Sahit Yadav. It was further alleged that on 23.10.2024, his son Aman and his friend Ganesh, at around 9 am had left to get the camera repaired, in their Scorpio No.HR-26-PK-1962. It was further alleged that when his son and Ganesh did not return home, till after noon, he had

contacted both of them on their mobile numbers and found their phones had been switched off. It was further alleged that the mobile number of his son was that 9636264658 and Ganesh's mobile number was 6355499033. It was further alleged complainant and Ganesh's family members had started inquiring about both of them and at around 3:30 PM, complainant's son Aman's friend Keshav called his friend Krishna on his phone number 8826179641 from his mobile number 9667280110 and told that Aman had called him from Aman's mobile number 9136264658 and told that some people had held him and Ganesha hostage and had asked to send one crore rupees or else these people would kill them. It was further alleged that after that, Keshav told that Aman had been repeatedly asking him to arrange money on the phone, to which the complainant told Keshav that so much money cannot be arranged, then Keshav told that Aman had asked him to arrange 20 lakhs on the phone, after which Keshav told that Aman's call had come again and he had called him to reach at Shri Ram Dhaba, Badshahpur with 20 lakh rupees. It was further alleged that on the suspicion that complainant's son Aman and Ganesh trapped in some trouble, and that unknown people had abducted Aman and Ganesh and had kept them in hiding, and by threatening to kill them, unknown people were demanding for 1 crore and then 20 lakh rupees, the complainant sought legal action. On the basis of these allegations, the FIR aforementioned was registered and investigation was taken up in the matter.”

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.

5. Counsel for the petitioner made the following arguments:

“1. That the petitioner is arrested on 27.10.2024 and the Final Report u/s 193 of BNSS has already been submitted in the court on 21.01.2025.

2. That it is further alleged that at 3.30 PM Keshav who is friend of complainant's his son Aman told that his friend Krishan has received called from Aman that he along with Ganesh have been detained by some persons and they were demanding Rs.1 crore otherwise they would kill them.

3. That during their interrogation car bearing No.RJ-02-CE-7539 were taken into possession by the police and police also recovered one black one Splendor motorcycle from Deepak Damble accused.

4. That it was alleged in the confessional statements of these accused that they have abducted Aman and Ganesh with a view to extort money from the parents.

5. That during investigation the disclosure statement of one Rishipal was recorded on 24.10.2024 and in his disclosure statement

the name of the petitioner also figured. It was alleged in the said disclosure statement by Rishipal that petitioner Alok was also conversant with the abduction and he being in police officer could help the accused persons and there no further allegation against the petitioner in said disclosure statement.

6. That the police with a view to falsely implicate the petitioner manipulated another disclosures statement of Rishipal on 25.10.2024 changing the entire version which was allegedly given by Rishipal on 24.10.2024. It is mentioned in said disclosure statement that earlier also they had similarly detain certain person who were indulging in online fraud and had extorted money from them and it was further alleged that similarly it was again conspired between the accused along with the petitioner Alok to abduct Aman and Ganesh as he was also indulging in online fraud and thereby extort money from him also. And according to the plan they had abducted Aman and his friend Ganesh with a view to extort money to their parents.

7. That except the disclosure statement of the co-accused as mentioned above there is no incriminating evidence against the petitioner to connect with the crime. That disclosure statements are not admissible in evidence being hit by section 23(2) of BSA and cannot be used against the petitioner.

8. That as per allegations the petitioner was not present at the spot nor was one of the persons who allegedly abducted Aman and Ganesh. Thus no offence u/s 140(2) of BNS (364-A IPC) is made out against the petitioner."

6. The State's counsel opposes bail and refers to the reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

"26. That the petitioner has played an active role in the commission of the crime complained off in the present FIR along with the co-accused. As per the investigation, the petitioner, who was found to have been a suspended police official, having got his suspension revoked recently, had received information from his acquaintance Rishipal regarding cyber committed at fraud Patel having Nagar by been cyber fraudsters namely Ganesh, Aman, Krishna, Piyush, Himanshu, Nitesh, Pancham, Rohit and others. Thereafter, the petitioner in order to extort money had apprehended the cyber fraudsters and had coerced them and had received an amount of approximately 1.05 Crores from them and their parents and out of the said extorted money, Rs.22.5 lakhs had fallen in petitioner's share. After revocation of his suspension, the petitioner had again contacted Rishipal and had asked Rishipal to trap the cyber fraudsters again more money. with a view to Thereafter, Rishipal extort had informed a the petitioner that he was up to the task and GPS in Scorpio that he had installed vehicle of Aman. Thereafter, according to the plan, the petitioner was in touch with the other co-accused and had played an active part in the kidnapping of Aman and Ganesh and had raised a demand of ransom of Rs. 20 lakhs."

REASONING:

8. Perusal of the status report and the evidence collected so far clearly points out towards petitioner's involvement. Petitioner was well versed and aware of the criminal law as such, he tried to keep himself in shield, however, the evidence collected so far is sufficient to deny him bail. Considering the gravity of offence, serious nature of crime and petitioner's past service which should have made him follower of law, but he became a lawbreaker. Petitioner's custody is just around nine months, which cannot be considered to be prolonged and he is not entitled to bail, neither on merits nor on custody.

9. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not make out a case for bail. The impact of crime would not justify bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

10. The petitioner's custody of around 09 months cannot be termed prolonged, given the minimum sentence prescribed for the offense, which is 10 years.

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

12. **Petition dismissed.** All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

31.07.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.