

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

230

CRM-M-15204-2025

Date of decision: 21st May, 2025

Ashish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

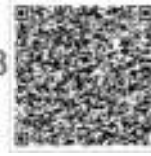
Present: Mr. S.K. Yadav, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

1. This petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short-‘BNSS’) for grant of regular bail to the petitioner in case arising out of FIR No.309 dated 09.11.2024 registered under Sections 140(3), 310(2), 61(b) of BNS, at Police Station Sadar Narnaul, District Mahendergarh.

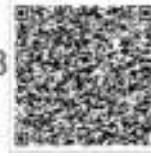
2. As per the allegations, on 08.11.2024, the complainant-Rakesh Kumar was going towards his house on his scooty when he was intercepted by occupants of a white colour car, who were three in number. They stopped his vehicle and by pushing him inside their car, covered his face and took him to an unknown road. They snatched cash amount of Rs.15000/- and mobile phone from him. They also get transferred an amount of Rs. 1,00,000/- and Rs. 62,000/- respectively from his bank accounts by using his mobile phone. Thereafter, they damaged the SIM card of his mobile phone



and after leaving him in the forest area, they fled away. After registration of FIR against unknown persons, investigation proceedings were initiated. During the course of investigation, CCTV footage from the house of Sarpanch of Nimbi village was obtained which revealed that the vehicle used in the crime was registered in the name of one Anil who disclosed that he sold the same to one Ankit and on asking, Ankit disclosed that he had sold the same to the present petitioner. Petitioner was arrested on 09.11.2024. On interrogation, he suffered disclosure statement admitting the factum of his involvement in the crime and also disclosed the names of the other accused, who were also nominated as such. Presently, the petitioner is facing trial alongwith the co-accused for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused Ankit, which cannot be considered to be admissible in evidence. A false story has been concocted by the complainant to escape from the liability to pay a sum of Rs. 55,00,000/- to co-accused Vikram. The petitioner has clean antecedents. No specific overt act has been attributed to him. The only allegation as levelled against him is that he had taken car from the accused Ankit. He was not the driver of the car at the relevant time. He is in custody since long. Trial will take considerable time to conclude. No purpose would be served by keeping him in custody anymore. The co-accused Vikas, whose case was on similar footing, has since been extended benefit of bail. On parity, he too deserves to be given the same benefit. Accordingly, it is urged that the petition deserves to be allowed.

4. Status report has been filed by respondent-State. Learned



Assistant Advocate General, Haryana, has argued that keeping in view the gravity of the allegations, the petitioner does not deserve to be released on bail. Accordingly, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have hatched a conspiracy with the co-accused for abducting the complainant and extracting money from him and in pursuance thereof, the complainant was abducted by them and money was snatched from him. The petitioner is in custody since 09.11.2024. Trial is likely to take time as all the material witnesses are yet to be examined. The co-accused Vikas against whom, there were similar allegations, have been extended benefit of bail. The petitioner has no criminal antecedents. Keeping in view the above discussed facts and on parity, 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. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

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

[MANISHA BATRA]
JUDGE

21st May, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*