



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

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CRM-M-16337-2025

Date of decision: 23rd July, 2025

Sabbir Khan @ Sabir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Arun Sharma, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking regular bail in case bearing FIR No. 270 dated 03.10.2023 registered under Sections 147, 149, 323, 364-A, 386, 387, 427 and 506 of IPC, 1860 and Section 25 of Arms Act, 1959 at Police Station Bhondsi, District Gurugram.

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was registered on the basis of complaint submitted by the complainant Isthak Khan on 03.10.2023 alleging therein that he owned four hydra cranes and three tractors which were plied by him for different companies. On 30.09.2023, he received a *Whatsapp* call on his mobile phone. The caller while introducing himself as Amit, resident of village Alipur told the complainant to give a sum of Rs. 1,50,000/- to him and otherwise threatened to kill him or his family members. The complainant told him that he did not have money to part with. Then the caller threatened



him by saying that they had killed one Ashok Rathi and the complainant would be finished in same manner. On 01.10.2023, Rashid, a co-villager of complainant had taken his Scorpio car for some work. On 02.10.2023, the complainant received a *whatsapp* call and the caller while introducing him as Salim Hariyakheda told the complainant that his scorpio car was in their possession and would be given back only after receipt of a sum of Rs. 16,00,000/-. He also told the complainant to meet him near Dhunela underpass. The complainant went there in the afternoon. Sometime, thereafter, some persons came in his car towards him and one of them, snatched a sum of Rs. 8,000/- from his pocket and told him to give more money and otherwise to face consequences and then fled. The complainant made a call on the mobile phone of Sahid who informed him that he had been abducted by the accused Amit, Bobby and Salim on the previous evening and they were raising demand of Rs. 16,00,000/- to release him and had been extending threat to kill him by pointing pistol. The complainant gave information at the police control room about the entire incident. He along with ASI Narender from Police Station Bhondsi had gone to village Hariyakheda, where his car was found lying parked in the house of Ismnail. Shahid who had taken the car from the complainant was made to sit there while the co-accused Rohit Dagar @ Bobby, Amit, Salim, Javed and Jabir @ Sabir i.e. the present petitioner were also present there. On seeing the complainant, they started hurling abuses to him. Some other persons also joined and then all of them extended beatings to him. With the help of police, Shahid was got released from the custody of the petitioner and other persons and the car was also taken into custody. He prayed for taking action



against the culprits. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 13.10.2023. Investigation has since been 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 is in custody since 27.05.2024. The victim Shahid and material witnesses Khurshid Ahmed @ Kurrai and Sohab Khan have been examined and neither of them has implicated the petitioner in commission of subject crime. Trial is likely to take time. His further incarceration would not serve any useful purpose. The co-accused Mohd. Ismnail and Salim, whose case is on similar footing have been extended benefit of bail. On parity, he too deserves to be released on bail. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed by respondent State. It is submitted by learned Deputy Advocate General, Haryana, that keeping in view the gravity of the allegations, the petitioner does not deserve to be extended benefit of bail. Therefore, 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 along with the co-accused is alleged to have abducted the victim Sahhid and is further alleged to have caused injuries to him. The victim and two material witnesses have not supported the prosecution version. While disposing of the bail petition of the co-accused Mohd. Ismnail and Salim, this Court had observed that the complainant had



been avoiding his appearance as a witness before the learned trial Court. Keeping in view the period spent by the petitioner in custody, on parity and further in view of the above discussed facts and circumstances of the case but without meaning to make any comment on the merits thereof, 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.

8. This order shall come into force from the time it is uploaded on this Court's official webpage.

[MANISHA BATRA]
JUDGE

23rd July, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No