



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

237

CRM-M No.16378 of 2025
Date of decision: 29.05.2025

Shuaib ... Petitioner

Vs.

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Namit Sharma, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

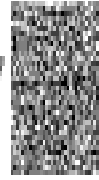
MANISHA BATRA, J. (Oral)

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
684	06.11.2024	Industrial Sector 29 Panipat, District Panipat	140(3), 190, 191(3), 309(4), 61(2), 317(3) and 310(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

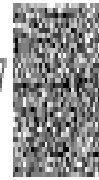
2. As per the allegations, the complainant Ramtej Yadav is a driver by profession. On the night of 05.11.2024, he had left from Panipat after loading goods in his canter vehicle bearing registration

2025/PHHC/075087



No.HR67D1187 for Ghaziabad, Uttar Pradesh. When he reached near police lines Panipat, a car came from behind and the occupants of the same stopped it in front of the vehicle of the complainant thereby making him stop his vehicle. The occupants who were 5-6 in number, alighted from their vehicle and forcibly made the complainant sit in their vehicle by showing that he had caused an accident. They blindfolded his eyes with a cloth, snatched his money as well as mobile phone and then after tying him with some tree in an abandoned place, they left. The complainant somehow got himself released and informed the police. The aforementioned FIR was initially registered against unknown persons. Investigation proceedings were initiated. The robbed vehicle of the complainant was recovered from Gannaur, Haryana in an abandoned condition. Subsequently, the same was taken into possession by the police. The complainant recorded his supplementary statement thereby disclosing the registration number of the vehicle which was brought by the culprits. It was revealed that the same was owned by accused Adil who was arrested on 07.11.2024. He suffered disclosure statement and nominated accused Mukkamil and some other co-accused besides admitting his involvement in the subject crime. Accused Mukkamil was arrested on 09.11.2024 and suffered disclosed statement and nominated the present petitioner. Offences under Sections 61(2), 317(3) and 310(2) of BNS were added. The present petitioner was arrested on 30.11.2024. He too suffered disclosure statement. The co-accused were also arrested.

2025.PHHC:075087



They demarcated the place of occurrence and disclosed that the goods loaded in the truck had been transferred in some other vehicle. On 22.11.2024 the said vehicle along with some of the robbed articles was recovered and taken into custody by the police. Investigation now stands concluded and the challan has been presented in the Court.

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. He is in custody since long. The investigation stands completed. The trial will take considerable time to conclude. His further incarceration would not serve any purpose. No recovery has been effected at his instance. Therefore, it is urged the he deserves to be released on bail.

4. Status report has been filed. Learned Assistant Advocate General, Haryana has argued that the petitioner has criminal antecedents since he is involved in one other case of similar nature. It is argued that keeping in view the gravity of the allegations, he does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have formed membership of an unlawful assembly and in prosecution of common object thereof, is alleged to have abducted the complainant from his vehicle and robbed him from his vehicle as well as the goods loaded therein. The petitioner is in custody since 30.11.2024. The trial will take



time to conclude. His involvement in another case cannot be considered to be a reason for denying benefit of bail to him. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances but without meaning to make any comment on the merits of the case lest the same prejudices the trial, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, 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 learned trial Court/CJM/Duty Magistrate concerned.

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

29.05.2025
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No