



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-23701-2023
Reserved on: 13.02.2025
Pronounced on:28.04.2025

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Versus

STATE OF HARYANA

... Petitioner

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Binder Tanwar, Advocate for
 Mr. Reetesh Kumar, Advocate for the petitioner.

 Mr. Vipul Sherwal, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

The instant first petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
292	29.07.2020	364-A, 379-B, 342, 120-B and 34 IPC	Madlauda, District Panipat

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case. He contends that the petitioner was not named in the FIR and has been implicated in the present case being brother-in-law of co-accused Satpal Rathi from whom three revolvers, 17 live cartridges and one vehicle were recovered, who had already been granted bail vide order dated 10.03.2021



passed in CRM-M-7554-2021 by Co-ordinate Bench of this Court. He contends that petitioner was arrested on 18.04.2022 and consequent upon his arrest nothing has been recovered from him. After completion of investigation, challan has already been presented in Court, and the trial is going on which will take sufficient long time to conclude. He contends that petitioner claims parity with co-accused Naveen @ Shalu from whom no recovery of weapon has been effected in this case and who had since been granted concession of bail vide order dated 09.02.2024 passed in CRM-M-27264-2023 by Co-ordinate Bench of this Court. Hence, he prays for grant of regular bail to the petitioner.

3. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by arguing that considering the nature and gravity of offence, petitioner is not entitled for concession of bail, hence prayed for dismissal of the bail petition.

4. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered on the complaint of Vava Syed Abuthahir, RCM of Larsen Toubro Limited, stating that HR/AMD Mr. Ved Pal was abducted by one gang and the complainant alongwith one Mr. Ganguly went to rescue him, whereupon the accused brutally attacked them and kept them captive and took their mobile phones. In the evening, the accused persons released them when they assured to fulfill all their demands, accordingly, FIR was registered. The petitioner was arrested on 18.04.2022 and no recovery of weapon was effected from him. After completion of investigation challan has already been presented in Court, and the trial is going on. Admittedly, similarly situated co-accused Naveen @ Shalu



has been granted concession of bail vide order dated 09.02.2024 passed by Co-ordinate Bench of this Court. The conclusion of trial to ascertain criminal liability, if any, of the petitioner will take sufficient long time, therefore, no purpose would be served by keeping petitioner any longer in custody.

5. Consequently, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail; subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/ Judge on Duty/Duty Magistrate, concerned, if not required in other case. He shall, however, be released on the following conditions:-

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

7. Pending application(s) if any shall also stand disposed of.

(SANJIV BERRY)
JUDGE

28.04.2025

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- i) Whether speaking/reasoned?
- ii) Whether reportable?

Yes/No
Yes/No