

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

2025:PHHC:133239



CRM-M-22019-2025 (O&M)
Date of decision: 24.09.2025.

VARUN ALIAS VARUN SINGH

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Himanshu Joshi, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.366 dated 06.12.2024, under Section(s) 140(3) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter to be referred as 'BNS 2023') registered at Police Station DLF Phase-3, Gurugram.

2 As per the case of the prosecution, the FIR in question had been registered on the statement of one Somendra Kumar son of Krishan Singh alleging that Abhay his son aged about 10 years had gone to play in the park in Block S, however, when he did not return till 7:00 P.M., he started

searching for him. At about 7:40 P.M. he received a call on his phone informing that his son Abhay had been kidnapped from the park. He thus made a call to the police. Then a call came from another phone number wherein the petitioner introduced himself and informed that the child is in his custody and that his wife Shweta is in their house. He asked the complainant to bring his wife Shweta to him for release of the child failing which the child would be killed. On the basis of the aforesaid statement, the FIR in question has been registered.

3 Learned counsel for the petitioner contends that there had been a dispute between the petitioner and his wife Shweta who was friend of the wife of the complainant and had gone to her house. He contends that he had gone to the house of the complainant to take his wife back and was waiting in the park outside the house where the child was playing. He contends that the custody of the child was undisputedly effected on the same date from the same park in front of the house of the complainant. It is contended that the allegations levelled in the present case thus do not substantiate that any such call had been made or the child was kidnaped. He further contends that as per the custody certificate placed on record, the petitioner is in custody for the last 09 month and 17 days and as the trial has not yet commenced, the petitioner be released on regular bail.

4 On the other hand, State counsel does not dispute the aforesaid factual aspect.

5 Having heard the learned counsel for the parties and taking into consideration the allegations levelled; the period of custody, the trial having not yet commenced and the number of witnesses cited by the prosecution i.e.

15 witnesses who are yet to be examined, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

7 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

September 24, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No