

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

237

CRM-M-26489-2025

Date of decision: 25th July, 2025

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

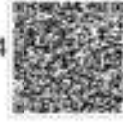
Present: Mr. Manish Soni, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 411 dated 12.12.2024 registered under Sections 232(1), 296B, 351(3) and 61(2)(A) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (111(2) of BNS added later on) at Police Station Pataudi, District Gurugram.

2. The aforementioned FIR was registered on the basis of complaint submitted by the complainant Ajit Singh alleging that one Ajay Jaildar had committed murder of his brothers Sujit Kumar and Paramjit Thakran. An FIR was registered and the said Ajay Jaildar and his associates were in jail. Since the complainant and his family members were main witnesses in the above said FIR No. 119 dated 25.02.2024, hence, Ajay Jaildar had been extending threats to them by adopting different means. He



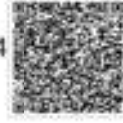
alleged that on 10.12.2024, he came to know that the present petitioner had put a status on his facebook account in which he was shown while extending threats to kill the complainant and was also hurling abuses to him. The said Gaurav also showed a video of the said status on his mobile phone. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 06.03.2025. The voice samples of the petitioner and co-accused were taken. Investigation now stands completed and the petitioner is facing trial for commission of aforementioned offences along with the co-accused.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not an accused in case bearing FIR No. 119 and therefore, had no reason to extend any threat to the complainant or his family members. He has a permanent abode. There are no chances of his absconding. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned State counsel that there are serious allegations against the petitioner. He is a habitual offender since he is involved in several other cases. There are chances of his absconding or intimidating the other witnesses, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have



criminally intimidated the complainant and to have extended threats to him. He is also alleged to have uttered obscene words while addressing the complainant and is also alleged to have threatened the complainant so that he could be forbidden from appearing as a witness. He has been in custody since 13.02.2025. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. The subject offences are triable by Magistrate. No useful purpose would be served by detaining him in custody anymore. In view of the above discussed facts, this Court is of the considered opinion that the petitioner deserves to be released on bail. Accordingly, the petition 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. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

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

[MANISHA BATRA]
JUDGE

25th July, 2025

Parveen Sharma

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

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