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

CRM-M-26884-2025

Date of Decision:21.05.2025

KIRTIMAN

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vikas Lochab, Advocate,
Mr. Simranjot Singh, Advocate &
Mr. Madhav Singh Mogha, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.23 dated 27.01.2025, registered under Sections 115, 190, 191(2), 191(3), 333, 351(2), 61 (110 added later on) of BNS, 2023, Police Station Badhra, District Charkhi Dadri.
2. The FIR in the present case was registered on the basis of the statement made by Ravinder @ Babbal son of Umed Singh and the same has been reproduced below:-

*“To The SHO Sahib, Police Station Badhra, Charkhi Dadri,
Sir, I humbly request that I am Ravinder alias Babbal S/O Umed
Singh, resident of village Mahda and I work in land related*



matters. I and Pawan alias Jitender S/O Rishal Singh, resident of Dhanasari had bought 4 acres of land in the boundary of Bhadra village on Loharu Road Badhra Road in 2019. Both of us were equal shareholders, Jitender alias Pawan made 5 more partners in his share. Dinesh PTI resident Satnali Ka Bas, at present resident of near Mittal Petrol Pump, Suresh S/o Ishwar Master Ji, resident of Dhanasari, Dinesh S/O Ishwar, resident Patuvas, Sombir S/O Chhallu Ram, resident Bhopali, Vijay S/O Vidyanand, resident Hansavas Khurd have been made partners. From about 7/8 months, all the above partners were arguing about the land of Front. About 4 months ago a rogue named Amit Fatehgarh threatened me over the phone that the land ahead belongs to me and my partners, if you interfere in it, I will kill you. On 24.01.25 at about 3.40 PM 1, Dharmender alias Dharam S/O Ramkan Bhandwa, resident of Bhandwa, Manendra S/O Jaichand Bhandwa, Dharmendra's maternal uncle's son Naresh alias Sonu S/O Devender, resident of Bhiwani Shanti Nagar, Dharmender and myself were sitting in our plot when suddenly 8 young boys came to us with sticks and asked who is Babbal. I said I am Babal, on which all of them started beating me with sticks and beat me badly and said that Amit Fatehgarh has sent us and if we do not vacate this land immediately we will shoot you. After this all of them fled in 2 cars, i-20 and Swift car. This attack was carried out by Amit Fatehgarh, Jitender alias Pawan, Suresh Dhanasari, Dinesh Patuwas, Sombir Bhopali, Vijay Hansavas Khurd, Dinesh Satnali Ka Bas (Dadri), Sandeep Dhani Surja and seven-eight unknown people by hatching a conspiracy to grab my land. You are requested to take strict legal action against all the above accused. Sd/-Ravinder, Applicant Ravinder s/o Umed Singh, resident of Mehda Charkhi Dadri, 9813477393, 27.01.2025.”.

3. Learned counsel for the petitioner contends that in the present case, it has been alleged that the petitioner was also seen in the CCTV footage, but



the DVR of the said footage has not been collected by the police. The petitioner was neither named in the FIR nor any role was assigned to him. Even the complainant/injured suffered 05 injuries on his person and out of 05 injuries, 04 injuries have been declared to be simple in nature. The petitioner was arrested in the present case on 02.02.2025 and is in custody for the last more than 03 months. He next contends that the challan has already been presented against the petitioner and he is not in a position to influence the witnesses of the prosecution.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that 09 more cases were registered against the petitioner and he is a hardened criminal and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the petitioner has already been acquitted in 05 cases and is on bail in most of the remaining cases. He was arrested in the present case on 02.02.2025. Even his co-accused, Jitender @ Pawan has been granted the regular bail, whereas, Dinesh Kumar has been allowed the concession of anticipatory bail by this Court. Thus, the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-



- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*
- (viii) The petitioner shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.*



8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

21.05.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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