



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

238

1) CRM-M-30815-2025
Decided on : 20.11.2025

Arun Baniwal @ Arun @ Jagira . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

2) CRM-M-39378-2025

Ankit Giri . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ramnish Puri, Advocate,
for the petitioner(s) (in CRM-M-30815-2025).

Mr. Ajay Sharma, Advocate
for the petitioner(s) [in CRM-M-39378-2025].

Mr. PK Jhanda, Sr. DAG, Haryana.

Mr. Saransh Sabharwal, Advocate
for the complainant.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-30815-2025 & CRM-M-39378-2025, as both the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-30815-2025.

2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Arun Baniwal @	150	06.04.2024	365, 34 of IPC [364A, 452, 386,	Pinjore	Panchkula

Arun @ Jagira (petitioner in CRM-M-30815-2025)			148, 149, 120-B of IPC], and 25 of Arms Act		
Ankit Giri (petitioner in CRM-M-39378-2025)					

3. Incident took place on 06.04.2024, at about 9:30 PM, when the complainant – Rishi Pal was taking meal at his home. As per the allegations, 7/8 boys entered the house and by showing pistol-like weapons, sticks and rods, kidnapped him from there and forcibly put him inside a Mahindra XUV-500 car bearing registration No. HR26-CD-1731 of silver colour. At the time of occurrence, Manjit Kaur and Ashok Kumar were also sitting there. It is further alleged that the accused had reached the house of the complainant in three vehicles — the aforesaid XUV-500, a Swift (black colour) and a Verna (white colour). After kidnapping the complainant, they proceeded towards Panchkula-Zirakpur Highway. Thereafter, the complainant was taken to some deserted place, where the accused persons started demanding money from him. It is also mentioned in the FIR that while the complainant was being kidnapped, the accused persons were calling each other by their names and therefore the complainant came to know of two names, namely, Anmol and Ankit. Subsequently, Manjit Kaur was called upon by the accused persons and ransom amount of ₹25,00,000/- was demanded from her, if she wanted to see the complainant alive. Later on, after about 2½ hours, the complainant was dropped near Sector-21, Tau Devi Lal Stadium, Panchkula, after receipt of the ransom amount.

4. Learned counsel for the petitioner – Ankit Giri (in CRM-M-39378-2025) submits that petitioner – Ankit Giri and his family members were already known to Manjit Kaur, who is one of the material witnesses in

the present case and to whom the alleged ransom call was made while the complainant was kidnapped and being taken towards the Panchkula side. While referring to FIR No.159 dated 28.12.2021, registered under Sections 376, 511, 354-A, 506, 120-B IPC at Police Station Women, Panchkula, it is argued that the said FIR was registered at the instance of Manjit Kaur against Sanjiv Kumar (maternal uncle of the petitioner), Sunita Giri (mother of the petitioner) and Kulwant Kaur (maternal grandmother of the petitioner).

However, referring to the cancellation report dated 25.08.2022, learned counsel submits that the said FIR was found to be false. Thus, it is argued that only to take revenge from the petitioner's family, this time the present false case has been lodged and petitioner – Ankit Giri has been named in the FIR by concocting the version of kidnapping. Learned counsel further submits that even the FIR contains the wrong name of the father of the petitioner, which itself shows that the complainant was not unfamiliar with the petitioner and that both sides were already acquainted with each other owing to certain money transactions.

5. While making submissions on behalf of the petitioner – Arun Baniwal @ Arun @ Jagira, learned counsel argues that petitioner is not named in the FIR and his implication is solely on the basis of one alleged phone call made by the petitioner to co-accused – Gagandeep Mann, who was not even named in the FIR and whose name surfaced only through disclosure statements of some other accused. It is also argued that although earlier three cases had been registered against petitioner – Arun Baniwal @ Arun @ Jagira, but he has been acquitted in all those cases. Thus, as of now, no criminal case is pending against him.

6. Learned counsel for the petitioner – Ankit Giri further submits

that although earlier two cases were registered against him under the Juvenile Justice Act, but in both cases he was convicted and sentenced to the period already undergone. Thus, no other criminal case is pending against him as on date. During the hearing, it is also informed that both the petitioners are inside jail since 12.06.2024 and 11.04.2024, respectively, and that out of a total of 28 prosecution witnesses, only 02 material witnesses including the complainant have been examined so far, and 02 witnesses have been given up by the prosecution.

7. On the other hand, learned State counsel files the custody certificates dated 19.11.2025, in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Copies thereof have been handed over to learned counsel for the petitioners.

8. Learned State counsel, while opposing the prayer for bail, submits that the allegations against both the petitioners are grave in nature, involving offences under Sections 364-A & 386 of IPC (added later), which carry severe punishment. He further submits that the complainant was forcibly kidnapped at gunpoint, taken away in multiple vehicles, assaulted, and ransom of ₹25,00,000/- was extorted before he was released. The nature of the act shows pre-planning and organized execution, involving a group of armed persons.

Learned State counsel further submits that trial is underway, and given the seriousness of the allegations, no ground is made out for grant of regular bail. However, learned State counsel fairly conceded the other factual submissions, so addressed by the petitioners' counsel here-above.

9. I have heard learned counsel for the parties and have perused the

record with their able assistance.

10. From the record, it is not in dispute that both the petitioners are in custody since 12.06.2024 and 11.04.2024 respectively, i.e., for more than 01 year and 07 months. Out of 28 prosecution witnesses, only two material witnesses including the complainant have been examined so far, and the pace of trial is admittedly slow. Two witnesses have already been given up.

11. As regards petitioner – Ankit Giri, although he is named in the FIR, the allegation of long-standing family dispute with witness Manjit Kaur cannot be ignored entirely. Whether this dispute has any bearing on the version of the FIR is an issue to be adjudicated during trial.

12. Insofar as petitioner – Arun Baniwal @ Arun @ Jagira, is concerned, his implication rests primarily on one phone call allegedly made to co-accused Gagandeep Mann, who was not even named in the FIR and surfaced only during the disclosure statements. No recovery has been effected from petitioner Arun Baniwal, and he is not named in the FIR. His previous cases have ended in acquittal, and no other case is pending against him.

13. This Court is conscious of the gravity of the allegations under Sections 364-A and 386 of IPC. However, prolonged pre-trial incarceration, especially when the trial is likely to take considerable time, cannot be overlooked. Both petitioners have already undergone substantial custody; there is no allegation that either of them has attempted to tamper with evidence or threaten any witness after arrest; and the key prosecution witnesses, including the complainant, have already been examined.

Thus, considering the totality of circumstances, custodial period, the progress of trial, absence of recovery from the petitioners, and the fact

that their further detention will not serve any useful purpose, this Court is satisfied that a case for grant of regular bail is made out.

Consequently, prayer made in the present petitions are **allowed**.
Petitioners - **Arun Baniwal @ Arun @ Jagira** and **Ankit Giri** are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

14. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

15. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

16. **Petitions stand disposed of.**

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

November 20, 2025

J.Ram

Whether speaking/reasoned: ☒ Yes/~~No~~

Whether Reportable: ☒ Yes/~~No~~