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(226)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46941-2025

Date of Decision: 01.09.2025

AJAY

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Dr. Pankaj Nanhera, Advocate
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.20 dated 24.10.2024 registered under Sections 61, 127(2), 140(3), 308(2) of BNS, 2023 and Sections 7, 7-A of Prevention of Corruption Act (Sections 61(2) of BNS, 2023 and 13(1)(B) of Prevention of Corruption Act added later on and Section 61 of BNS deleted) at Police Station Anti-Corruption Bureau, District Hisar, Haryana.

2. The present FIR came to be registered at the instance of Aman S/o Sh. Ramkesh and the same reads as under:-

“Sir, it is requested that I, Aman son of Sh. Ramkesh am the resident of Litani, Uklana. Alongwith agriculture, also do private work. On 10.10.2024, I was going from my house in my I-20 car having temporary number towards our petrol pump.



About 1/2 KM behind my pump, a vehicle of CIA-II Staff, Hissar stopped in front of my car. They came down from the car and came near car and asked me to come out of the car. When I asked as to who are you. They told me as CIA staff and made, me to come out of the car and sit on the rear seat of my car and they took me to Litani Mor in my car and after parking the car on the side, made me to come out of the car and sit in the staff car and my car was taken away by 2 employees of CIA-II staff Hissar. In staff car, there were also 2 staff employees. They took me to Mela Kothi, CIA-II, Hissar. Thereafter, they made me to sit for 1-1½ hours and thereafter 2 employees, who were from CIA-II, brought my car in CIA-II. They interrogated me and said that a case would be registered against you in the matter of Raja Gujjar and Vikram Ladwa and implicate your name in illegal weapons and illegal possession and by registering the case against you, would get your property attached. I told about my innocence. Then they removed my clothes and tied me with the chair and threatened and scared me. The staff members were talking with each other with the name of Ajay and Kapil Sihag. I can identify those four persons upon producing before me. Thereafter I was taken to the Incharge Inspector. Then Inspector told about implicating in the case of Raja Gujjar and said that a property of ten crores has been taken and pump has also been taken. Thereafter, I was made to sit in a room and after sometime Richhpal and Ramesh Dhaka came. They came to me and asked to get me released by giving bribe. Then I asked my uncle Richhpal and Ramesh Dhaka for resolving this by giving bribe so that the reputation may not be tarnished. Thereafter 2-3 times, my uncle went in and came out. Then he told me that Kapil Sihag, CIA-II Incharge is demanding Rs.30 lacs. I said



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that I have not committed any murder, that I would give this much amount. Then my uncle and staff members finalized for releasing me for a sum of Rs.17 lacs 50 thousand and before releasing me, they got my signatures on blank papers and asked to give the amount of bribe within 6-7 days and also threatened me to register false case, upon not giving the money. 6-7 days ago, Rs.2 lacs were given to my uncle Richhpal, which my uncle gave by going inside CIA-II Hissar, in my presence. Now uncle Richhpal and Ramesh Dhaka are demanding another Rs.15 lacs 50 thousand. They are saying that we have made a commitment with Kapil Sihag, CIA-II. If you would not give the money, then my uncle Richhpal said that I would give. Now at the instance of both of them, I have made the arrangement of Rs.5 lacs 80 thousand. I would give this amount to Richhpal and Richhpal would give this amount to CIA-II Hissar, Incharge Kapil Sihag and his colleague staff. I do not want to give this amount of bribe to Richhpal and his accomplice Ramesh Dhaka. But they are repeatedly putting pressure on me for giving the money. I have the audio and video recording of Richhpal and his accomplice Ramesh Dhaka, which would be produce later on. Legal action be taken against all of them. Sd/- Aman son of Ramkesh, Village Litani, Tehsil Uklana XXXX.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. There is a delay of 14 days in the registration of the FIR. Sandeep Kumar, Kapil Sihag and Richhpal have been granted the concession of regular bail whereas SI Nar Singh has been granted the concession of interim anticipatory bail vide orders dated 24.12.2024, 01.08.2025, 24.07.2025, 22.07.2025 and



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21.08.2025 (Annexures P6 to P9). As the petitioner is in custody since 08.05.2025 but none of the 41 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. On the other hand, the learned State counsel contends that the allegations levelled against the petitioner and his co-accused are grave and as such, he is not entitled to the concession as prayed for. He, however, concedes that the petitioner is in custody since 08.05.2025 but none of the 41 prosecution witnesses have been examined so far and that while four co-accused have been granted the concession of regular bail one of the accused has been granted the concession of interim anticipatory bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 08.05.2025 but none of the 41 of the 39 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required moreso when co-accused Richhpal, Sandeep, Kapil Sihag and Sandeep Kumar have been granted the concession of regular bail whereas SI Nar Singh has been granted the concession of interim anticipatory bail.

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Ajay S/o Dilbag Singh is ordered to be

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released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. If the petitioner or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

9. In addition the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

01.09.2025

JITESH

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