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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(226)

CRM-M-49048-2025 (O & M)
Date of decision: 04.11.2025

Surender Kumar

.... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rajesh Lamba, Advocate,
for the petitioner.

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

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 483 of BNSS, 2023 is for the grant of regular bail to the petitioner in a case FIR No.495 dated 02.11.2024 under Sections 61(2), 111, 109(1), 308(4), 351(2), 3(5) BNS, Section 25 of the Arms Act and Section 5 of the Explosive Act registered at Police Station Sadar Fatehabad, District Fatehabad, Haryana.

2. The present FIR came to be registered at the instance of prem Chand and reads as under:-

In the service of Mr. SHO Sahib, Police Station Sadar Fatehabad, Sir, I request that I am Prem Chand son of Ram Kishan, a resident of Majra and I have passed class 5. I and my sons Jai Kishan, Pawan, Sonu have a clothes shop in the village Majra by the name of Prem Vakh Bhandaar. This shop of ours has been running for about 54/55 years. Today on 02.11.2024 at



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about 4.10 in the evening, three young boys whose names are not known came on a motorcycle from the direction of the village Gurudwara, in front of our shop, all three had their faces covered. And a boy stopped his motorcycle in front of my shop and fired a direct shot at us with the pistol in his hand with the intention of killing us, which hit the shutter of our shop. We all sat down. One of those three boys threw a threatening letter towards our shop and all three boys fled towards Sharda Hanuman temple on their motorcycle. Then we informed about this on Dial 112, which arrived at the spot in no time. We have presented you with the threatening letter in which a demand of Rs.20,00,000/- has been made from us and it is written that if the demand is not met, we should be ready to face the consequences and there is a threat of killing us. I request you to take strict action against the three young boys on the motorcycle whose name and address are not known. I can identify the motorcycle and the three boys if they come in front of me. SD Prem chand.

3. The learned counsel for the petitioner contends that during the course of the investigation, it was found that one Rinku (since granted the concession of bail vide order dated 23.07.2025, Annexure P-3) was driving the motor cycle, Lakhvinder alias Bindi had fired the shot and Raval @ Rahul @ Bacchi (since granted the concession of bail vide order dated 24.12.2024 passed by the PM, Juvenile Justice Board, Fatehabad) had thrown the ransom letter. Surrender (petitioner) is stated to be only a conspirator. As it is a case of no injury, the petitioner is in custody since 05.11.2024 but none of the 21 prosecution witnesses has 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.



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4. The learned counsel for the State, on the other hand, has filed a reply/status report dated 03.11.2025 which is taken on record. While referring to the said reply, he contends that the offence was committed in connivance and in conspiracy with the petitioner. He is an accused in 08 other cases. The nature of the allegations and the antecedents of the petitioner do not entitle him to the concession of bail. He, however, concedes that two co-accused/Rinku and Raval @ Rahul @ Bacchi have been granted the concession of bail, it is a case of no injury, the petitioner is in custody since 05.11.2024 and that none of the 21 prosecution witnesses has been examined so far.

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

6. Admittedly, the driver of the motor cycle and the accused who threw the ransom letter have been granted the concession of bail. The petitioner is only stated to be a conspirator. It is a case of no injury. He is in custody since 05.11.2024 but none of the 21 prosecution witnesses has 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 even though he is an accused in multiple other cases.

7. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Surender Kumar is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform



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in writing each time that he is not involved in any other case/crime other than the case(s) referred to in the State reply/status report dated 03.11.2025.

9. If any attempt whatsoever is made by the petitioner and/or his family members/friends to contact/threaten/intimidate any of the witnesses of the present occurrence, the State/complainant shall be at liberty to move an application for cancellation of bail granted vide this order.

10. 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.

11. The present petition stands disposed of.

12. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

November 04, 2025
sukhpreet

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