

2025:PHHC:165588



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.50863 of 2025

Azad @ Kalu @ Arvinder ... Petitioner

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	20.11.2025
2.	The date when the judgment is pronounced	28.11.2025
3.	The date when the judgment is uploaded on the website	29.11.2025
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kapish Singla, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

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FIR No.	Dated	Police Station	Sections
223	03.09.2024	Udyog Vihar, District Gurugram	140(4), 3(5), 115(1) and 351 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (109 and 111 of BNS added later on)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Nitesh Yadav alleging therein that in the morning of 03.09.2024, his father Satpal had gone on his autorickshaw towards auto stand Village Dhundaheda from where he had been abducted by the present petitioner and the co-accused Shivam, Lalit and Arvind in an I-20 vehicle. He was taken to Baghpat, Uttar Pradesh. On his complaint, initially a case under Sections 140(4) read with Section 3(5) of BNS was registered. Investigation proceedings were initiated. The father of the complainant was recovered and was medically examined. The co-accused Lalit and Shivam were apprehended on 04.09.2024. They were interrogated and suffered disclosure statements admitting their involvement in the crime. Offences under Sections 115(1), 109(1) and 351(1) of BNS were added subsequently. After completion of investigation, challan was presented against the co-accused Lalit and Shivam.

3. As per the further allegations, the petitioner was joined into investigation on 09.06.2025. He was interrogated and suffered a disclosure statement admitting his involvement in the crime along with the co-accused. He also got recovered the vehicle used at the time of commission of the crime. The co-accused Arvind was also arrested subsequently. Offence under Section 111(II) of BNS was added. Investigation qua the petitioner

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and co-accused stands completed and supplementary challan has been presented against them.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 09.06.2025. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. The victim had sustained simple injuries only. No specific injury has been attributed to him. The co-accused Lalit Kumar whose case is on similar footing has been extended benefit of bail. On parity, he too deserves to be given the same benefit. It is, therefore, argued that he deserves to be released on bail.

5. Status report has been filed. Learned Assistant Advocate General, Haryana has argued that there are serious allegations against the petitioner. He is a habitual offender. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused is alleged to have abducted the victim Satpal, to have taken him to a village in District Baghpat and is further alleged to have caused injuries to him. One of such injuries have been declared to be dangerous to life. However, the petitioner is in custody since 09.06.2025. The trial is obviously not likely to be concluded in near future. There is no basis for the contention that the petitioner would intimidate the witnesses. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. Taking into

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comment on the merits of the case lest the same prejudice the trial, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

28.11.2025
harjeet

(MANISHA BATRA)
JUDGE

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