IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-50574-2025
Reserved on: 01.10.2025
Pronounced on: 31.10.2025

Dheeraj Sharma ...Petitioner

Versus

State of Haryana …Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. J.S. Johal, Advocate
for the petitioner.

Mr. Birender Bikram Attrey, Addl. A.G., Haryana.

Mr. Munish Mittal, Advocate
for the complainant.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
122	06.04.2025	Murthal, District Sonipat	308(4), 316(2), 318(4), 61 BNS

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. Per paragraph 26 of the bail petition, the petitioner has no criminal antecedents.

3. The facts and allegations are being taken from the translated version of FIR, which reads as follows:

> "*To, SHO Sir, Police Station Murthal (Sonipat) Subject: Regarding sending abroad by promising job and making hostage and demanding money. Sir, It is requested that I am Dharmendra son of Lt. Jaipal alias Paleram resident of village Rewali, Sonipat. My younger brother Sitaram had gone to Cambodia from Delhi via Bangkok on 26 February 2025. Manjeet alias Mota son of Jasbir alias Kala (resident of Fazilpur) had introduced my brother to Sushil son of Ramswaroop resident of of Village Dahima, Hisar. On their asking and by making false promises of job, he was sent to Cambodia. At the airport "Phnom Penh", he was sent on a car to some company about 4 hours away. My brother used to talk his wife on whatsapp. On the morning of 2 April 2025, the father in law of my brother, Jaypal ji called at around 8 AM, that whatsapp call and message from Sitaram has come that he is being held hostage there, get him out of here somehow. So I told him that I will talk to my brother.*

When I talked to my brother on WhatsApp, he told me while crying that an agent named Sushil, who is a resident of Hisar, has sent me here by lying, these company people have made me hostage here. Now these company people beat me a lot every day and give me electric shocks. Brother, you send me one lakh forty thousand rupees, then these people will release me. On his request, I sent 50 thousand rupees to him, 6 times in installments of 10 thousand each on the morning of 2nd April 2025 through UPI G/PAY on his number 9813642768. He sent an A/C number and around 12 pm I again got a WhatsApp call from him and said send 80 thousand rupees in this A/C within 5 to 10 minutes. The details of the A/C were Ramesh Sorethiya, Canara Bank Rajkot Kotharia Gujarat A/C NO-110224363009, IFSC Code CNRB0006577. I deposited 80 thousand rupees from my account in the above account through online banking. Then I asked my brother to talk to these people and ask that when will they release you, he said that there is a man here from South India named Gopi who is talking to them to release me. He told that they will tell after 10 pm at night, then he said that they are talking about releasing me tomorrow morning. On the next day on 3 April 2025, my brother told me that the agent Sushil from Hisar has withdrawn 10 lakh rupees from the A/C of this company in which the company sends money. So now these people are asking me to get 10 lakh rupees from my home or from my agent Sushil. My brother told me that Sushil has sent a boy from his own village here (Cambodia). And tomorrow Sushil will deposit 10 lakh rupees back in the company's account and the person who has been sent there in place of Sitaram, he will stay there. Whose name is Rajesh son of Ramswaroop resident Dahima Hisar is from Sushil's village itself. Then the next day on WhatsApp my brother told me that Sushil has only sent 5 lakh rupees from the company's account, he will send the remaining 5 lakh rupees tomorrow, then these company people will release me. On 04.04.2025, my brother told me that instead of sending the remaining 5 lakh rupees, Sushil has withdrawn 47 lakh rupees from an A/C in Hisar which is related to the company and Sushil. My brother told me that the company people have given a lot of beatings to me and the boy Rajesh who has come from Hisar and asked both of us to send 40 lakh rupees each from our homes. My brother told me that while giving beatings, these people also give electric shocks and say that if they do not get the money, they sell the person and they sell human organs to countries like Cambodia, Burma, Myanmar etc. The next day on 05.04.2025, I talked to Manjeet alias Mota Fazilpur by establishing contact through his uncle (mama). He said that brother do not panic, I am going to meet that Sushil agent. I will talk to him after going to Hisar. I could not resist myself, and due to the fear in my mind of some untoward incident with my brother, I went to Hisar along with my uncle's son Deepak. There I called Manjeet. He called me to village Dahima in Hisar and talked to me about meeting that agent Sushil. Then I asked him for his WhatsApp location. He said he would give it after some time. He explained me Dahima's address over the phone itself. When I reached near the village, Manjeet sent me WhatsApp location as well. Manjeet met me in front of the village temple. Then in front of me, he talked to Shushil many times through whatsapp, Sushil kept making excuses. Manjeet told me this. Afterwards Manjeet showed me the heame of that agent. After seeing his house, we went to the Sarpanch's house and upon not finding him there, we informed his father and others about our situation. They also took us to the house Rajesh son of Ramswaroop. After that we again went to the Sarpanch's house and talked to the Sarpanch and Rajesh's family members. Before going to Sushil's house, we along with Manjeet, also went to the house of Monu alias J.P. of Bhojraj village, as Manjeet said that Sushil and Monu do this work together. When we went to Sushil's house, his parents gave us the number 8295967169 of Vikas Duhan resident of village Kawari and said

> *that he is the root of the whole problem. My son Sushil does all this work with him. My brother is afraid that he may be sold over to human traffickers or he may be held hostage and killed. It has been more than a month since he has been held hostage there. I humbly request you to protect the life and free from physical torture, my brother Sitaram who is being held hostage in Cambodia by the gang of Sushil, Vikas Duhan, Monu alias J.P., Manjeet alias Mota etc. and they are asking Rs. 40 lakhs in exchange. I request the administration to provide him all possible help. Sushil village Dahima 9729150773, 9220590579, Monu alias J.P. village Bhojraj 8708174900, Vikas Duhan village Kawari 8295967169, Manjeet alias Mota village Fazilpur Sonipat 8396819012. Applicant Dhamendra"*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

6. The State as well as counsel for the complainant opposes bail and refers to the reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

> *"During the course of investigation, it has been established that petitioner accused Dheeraj was an active member of the criminal team involved in the fraudulent money laundering operations coordinated with Cambodian companies. His role has been corroborated through thorough police investigation and the disclosure statements of the four arrested accused Sushil S/o Ramswaroop, Vikas S/o Jaibir, Ravi S/o Rajbir, and Vikram S/o Mohar Singh. As per these statements, Dheeraj, along with Vikram, facilitated the provision of bank accounts, including the Bandhan Bank Hisar account (A/C No. 20100043693020), to the team, which was subsequently used for the withdrawal of Rs. 39,50,000/- from Sunil Dutt's account. Furthermore, Dheeraj was involved in operational planning and coordination to ensure the transfer of fraudulent funds and the supervision of account holders, and he received a share of the illegally withdrawn money as part of the criminal proceeds. His involvement has thus been clearly established through both the investigation and the disclosures of all four arrested accused."*

8. Evidence against the petitioner is in the shape of disclosure statement. There is no transaction in the account of the petitioner and the allegations against the petitioner are mainly that he arranged the bank accounts for transfer of fraudulent money, however such bank accounts have no link with the petitioner and account holders are different persons,

as such petitioner makes out a case for bail. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage, but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

9. The law of bail, like any other branch of law, has its own philosophy, and occupies an important place in the administration of justice and the concept of bail emerges from the conflict between the police power to restrict liberty of a man who is alleged to have committed a crime, and presumption of innocence in favour of the alleged criminal.[1]Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.[2] Personal liberty deprived when bail is refused, is too precious a value of our constitutional system recognised under Art. 21 that the curial power to negate it is a great trust exercisable, not casually, but judicially with lively concern for the cost to the individual and the community.[3]

10. Given the above, the penal provisions invoked coupled with the primafacie analysis of the nature of allegations, role attributed and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for anticipatory bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

[1] Supreme Court of India in Vaman Narain Ghiya v. state of Rajasthan, [E-SCR] ; [2008] 17 SCR 369, Para 16, decided on 12.12.2008.

[2] Supreme Court of India in Siddharam Satlingappa Mhetre v. State of Maharashtra, SC 2J [E-SCR], Paragraph 127, decided on 02.12.2010.

[3] Supreme Court of India in *Babu Singh & ors v. State of UP*, [E-SCR] P. 777, decided on 31.01.1978.

13. The bail order is subject to the petitioner's complying with the following terms.

14. *The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator*. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

15. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

16. In Md. Tajiur Rahaman v. The State of West Bengal, decided on 08-Nov-2024, SLP (Crl) 12225-2024, Hon'ble Supreme Court holds in Para 7, "It goes without saying that if the petitioner is found involved in such like offence in future, the concession of bail granted to him today will liable to be withdrawn and the petitioner is bound to face the necessary consequences."

17. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

18. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

19. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

20. It is clarified that this bail order shall not be considered as a blanket bail order in any other matter and is only limited to granting bail in the FIR mentioned above.

21. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

22. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

31.10.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.