

2025.PHHC.146628



**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-53904-2025 (O&M)

Date of decision: 29.10.2025

Arun Kumar @ Mintu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Diwan S. Adlakha, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 397 dated 08.10.2024, registered under Sections 308(4) and 351(3) of Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*) [Sections 61(2) and 111(2) of BNS and Section 25(6) of the Arms Act added later on] at Police Station Sector 17, HUDA, Jagadhri, District Yamuna Nagar.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Sunil Agarwal on 13.09.2024 alleging therein that he was running plywood and steel factories. On the previous evening, he received calls from a telephone no. 3519262550000. Since this was an unknown number, he did not pickup the phone. Then he received a message from the same phone number extending threat to pickup the phone and otherwise some wrong would be done to him. The complainant

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blocked the said number. Some time thereafter, he received a threatening Whatsapp message from another phone number extending threats to kill his family members and himself. The complainant, therefore, prayed for taking action in the matter and to provide him protection.

3. Initially a case under sections 308(4) and 351(3) of BNS was registered and investigation proceedings were initiated. During investigation, an SIT was formed. A complaint no. 9413 dated 30.09.2024 submitted by one Amit Kumar r/o village Khadri was also received making similar allegations. The petitioner and along with accused Rudraksh Mehta @ Rohit, Gurmeet and Romil was nominated as accused. He was apprehended along with the above named persons on 16.10.2024 and suffered disclosure statements. As disclosed by the petitioner, he had remained lodged in Jagadhri jail in connection with some murder case and had come into contact with co-accused Venkat who was a gangster and was involved in the business of extorting money from the businessmen after extending threats to them. He had joined the gang of said Venkat after both of them had been released on bail. He was assigned the work of doing recce and giving information about the names and particulars of the persons from whom money could be extracted to the co-accused who used to extort ransom money from such persons. He further disclosed that he knew that the complainant Sunil Agarwal was running two factories at Bilaspur and Jagadhri and was also running a hotel and could give money under threat and that he had given the phone number of complainant Sunil Agarwal to accused Venkat who had given it to accused Bhanu Rana settled abroad and then threats were extended to the complainant and also to

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his friend Amit Khadri. The co-accused were also arrested. Now investigation stands completed.

4. It is argued by the learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. The disclosure statement allegedly suffered by him cannot be considered to be admissible in evidence. No recovery has been effected from him. There is no call detail record to connect him with the co-accused or with the threatening calls made to the complainant. He is in custody since long. The provisions of Section 111 of BNS are not at all attracted against him. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. Co-accused Gurmeet has already been extended benefit of bail. On parity, he too deserves to be extended the same benefit. With these broad submissions, it is urged that he deserves to be released on bail.

5. Status report has been filed. Learned State counsel has opposed the prayer made by the petitioner for grant of bail and has submitted that in view of the gravity of the allegations as levelled against the petitioner, he does not deserve to be released on bail. Hence, it is urged that the petition is liable to be dismissed.

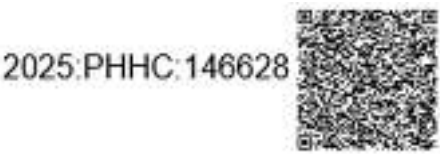
6. This Court has heard the rival submissions made by both the sides.

7. As per the status report, the petitioner was an active member of gang of Venkat Garg and Noni Rana. He had developed friendship with co-accused Venkat Garg and Romil during his confinement in jail. Being hands in glove with the co-accused, he had been engaged in making search for rich

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people and give their cell numbers, addresses to other members of the gang, some of whom were sitting abroad and used to extend threatening calls to such victims with intent to extort money from them. As per this report, the petitioner along with the co-accused Rukdraksh Mehta had collected information regarding victim/complainant Sunil Agarwal and had provided the details thereof to co-accused Venkat Garg and Bhanu Rana, upon which, the latter had given threatening calls and sent Whatsapp messages to the victim thereby raising demand of ransom money. The petitioner was, however, not named in the FIR. Though the allegations show his involvement in the demand of ransom, however, apart from the disclosure statement, there is no other material on record at this stage to show that the petitioner had been in contact with the co-accused. He is in custody since 16.10.2024. He is stated to be involved in another case but cannot be denied benefit of bail due to that reason alone. The trial will take considerable time to conclude. As such the continued detention of the petitioner in custody would not serve any useful purpose. Given the penal provisions invoked in this case, the part attributed to the petitioner and the attendant facts and circumstances peculiar to this case, this Court is of the considered opinion that no fruitful purpose would be served by detaining the petitioner in custody anymore. Accordingly, the petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-



- (i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) he shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) he shall appear before the learned trial Court as and when directed.
- (iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

8. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

29.10.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>