

2025:PHHC:036192



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

CRM-M-56599-2024 (O&M)

Reserved on : 12.03.2025

Pronounced on : 18.03.2025

Rohit Loura

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J.

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. 317 dated 06.07.2024, registered under Section 387 of IPC at Police Station City Hisar, District Hisar.

2. As per the prosecution case, on the night of 05.07.2024, complainant Kavyayan Bansal @ Kittu Bansal continuously received 4-5 Whatsapp calls on his cell phone. Since the voice of the caller was not audible, he disconnected the calls. Sometime thereafter, a voice message was received by the complainant, whereby a sum of Rs. 2 crores was demanded by the caller as ransom amount and threat was extended to face consequences otherwise. The complainant urged for taking action in the matter. Initially, a case under Section 387 of IPC was registered. Investigation proceedings were initiated. it was found that the calls were made by one gangster namely

2025:PHHC:036192



Rakesh @ Kala Kherampurua, who was already in custody in another case bearing FIR No. 307 dated 30.06.2024, registered under Section 387 of IPC at Police Station City Hisar. His presence was secured by issuance of production warrants. He was formally arrested in this case and was interrogated. He suffered disclosure statement to the effect that he was involved in robbery, extortion and murder cases. He further disclosed that the cell phone number of the complainant was given to him by the present petitioner by disclosing that the complainant had a big shop in auto market at Hisar and could give a huge amount of money as ransom. He further disclosed that he had made a call to the complainant with the help of co-accused Mohit @ Mitu and had demanded ransom money of Rs. 2 crores. The petitioner, who was also lodged in jail in connection with FIR No. 237 dated 27.06.2024, registered under Sections 387 and 120-B of IPC and Section 25(6) of Arms Act at Police Station City Hisar, was nominated as an accused in this case. Production warrants had been got issued and he was joined into investigation. He was formally arrested and was interrogated. He suffered disclosure statement admitting his involvement to the effect that he used to find out the names and other details of businessmen and used to give the same to co-accused Rakesh @ Kala Kherampurua and further that it was him, who had given the cell phone number of the complainant to co-accused Rakesh @ Kala Kherampurua. He further disclosed that co-accused Rakesh @ Kala Kherampurua had made a call to the complainant through co-accused Mohit @ Mitu and had demanded ransom money of Rs. 2 crores. The investigation has since been completed and

2025:PHHC:036192



challan has been presented. The petitioner along with the co-accused is facing trial for commission of aforementioned offence.

3. It has been argued by learned counsel for the petitioner that he has been falsely implicated in this case. The petitioner is in custody since 20.09.2024. Trial is likely to take time. His further detention would not serve any useful purpose. There is no direct evidence to connect him with the subject offence. The disclosure statement of the co-accused cannot be considered to be admissible against him. Hence, it has been urged that the present petition deserves to be allowed.

4. Status report has been filed by the respondent-State. It is submitted therein and learned State counsel has argued that there are serious allegations against the petitioner. He is a habitual offender as three more criminal cases, out of which two cases are of similar nature, are pending against him. Co-accused Mohit @ Mitu is yet to be arrested. Material witnesses are yet to be examined. There are chances of the petitioner's absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it has been urged that the present petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the material placed on record very carefully.

6. The petitioner is alleged to have connived with co-accused Rakesh @ Kala Kherampurua to extort money from the complainant by putting him in fear of death and in pursuance of that conspiracy, co-accused Rakesh @ Kala Kherampurua is alleged to have made a call on the cell phone of the complainant on the fateful day and is further alleged to have demanded

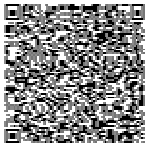
2025:PHHC:036192



ransom money of Rs. 2 crores from him. The petitioner was not named in the FIR and has been nominated as such on the basis of the disclosure statement of co-accused Rakesh @ Kala Kherampur. The petitioner was in custody at the relevant time. Investigation has since been concluded. Trial is likely to take time. There is no basis for the contention that the petitioner may abscond or intimidate the witnesses, if released on bail. The factum of his involvement in some other criminal cases can also not be considered to be ground for denial of benefit of bail to the petitioner. Keeping in view the period of incarceration of the petitioner as well as the attendant facts and circumstances of the case, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal bonds and bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and further subject to the condition that he shall appear before the Police Station concerned on the first Monday of every month at 11:00 AM. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card, if any, and details of his mobile phone number to the learned trial Court and in case, any change in his address or mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

2025:PHHC:036192



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

18.03.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No

2025:PHHC:036192

