

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

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2025-PHHC-163112



CRM-M-57534-2025 (O&M)
Date of decision: 21.11.2025

Ashok Kumar

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA.

Present : Mr. M.R. Sharma, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (oral).

Prayer in this petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') is for grant of regular bail to the petitioner in case bearing FIR No. 518 dated 15.08.2024, under Section 140(2), 127(2), 3(5) of the Bharatiya Nyaya Sandhita, 2023 (for short 'BNS'), at Police Station City Ballabgarh, District Faridabad.

2. As per the allegations, complainant Kunal Paswan had borrowed a sum of Rs.32,000/- from accused Ajay @ Baba which was yet to be returned by him. On 14.08.2024, petitioner who had helped him in taking money from accused Ajay, caught hold of the complainant and had called accused Ajay at that place. They forcibly made him to sit on the motorbike and then by abducting him and extending threats, took him to the house of Ajay, wherein he was asked to give a sum of Rs.2,60,000/- or otherwise, he would be killed. He was confined in a room and brother of the complainant was informed on phone to give money. He had intimated the police, who got the complainant released from the custody of the petitioner and the co-accused. After registration of FIR, investigation proceedings were initiated. Petitioner was arrested on 15.12.2024 and co-accused had also been arrested and now investigation stands completed.

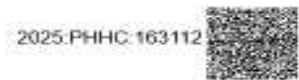


3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement suffered by the co-accused which cannot be considered to be admissible in evidence. He was not named in the FIR nor any specific overt act has been attributed to him. Moreover, he has clean antecedents. The trial will take considerable time to conclude. The subject of offences are not made out against him. Out of 23 prosecution witnesses, none has been examined till date. Further incarceration of the petitioner would not serve any purpose. Co-accused, namely Lovekesh Kumar @ Lavkesh Kumar has already been granted the concession of regular bail by this Court vide order dated 16.09.2025 passed in CRM-M-40093-2025. It is, therefore, urged that the petitioner deserves to be released on bail.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the serious and specific allegations against the petitioner, he does not deserve to be given the benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. Petitioner is in custody since 15.12.2024. Out of total 23 prosecution witnesses, none has been examined so far. Obviously, trial is likely to take time. The continued detention of the petitioner would not serve any useful purpose. Keeping in view the nature of the allegations levelled against the petitioner, the period spent by him in custody and the attendant facts and circumstances of the case, this Court is of the considered opinion that further incarceration of the petitioner is not going to serve any useful purpose. Accordingly, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal as well as surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.



7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

21.11.2025
Harish Kumar

(MANISHA BATRA)
JUDGE

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