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**(254) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-59838-2025 (O&M)

Date of decision : 19.12.2025

DINESH @ DINU

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA (ORAL)

Present: Mr. Manoj Tanwar, Advocate for the petitioner

Ms. Himani Arora, DAG, Haryana

MANISHA BATRA, J. (ORAL)

1. The instant petition is the second petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case arising out of FIR No.114, dated 10.05.2024, registered under Sections 386, 506, 120-B, 384 of IPC and Sections 25(1-B)a, 25(6), 29(b) and 25(1a) of Arms Act, registered at Police Station Farukhnagar, District Gurugram. The previous petition i.e. CRM-M-42915-2024 was withdrawn vide order dated 19.11.2024 passed by this Court.

2. As per the allegations, on 10.05.2024, a secret information was received to the effect that some members of the Lawrence Bishnoi gang were active in the city of Gurugram, Haryana for the purpose of

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extorting money from the businessmen and rich persons of the city. It was also informed that the main members of the group were operating from foreign countries or from different jails and they were in active contact with each other through social media apps. It was also informed that they had got murdered one businessman and that extortion to the tune of Rs.2 Crores had been demanded by one member of the gang. The secret information disclosed the name of the petitioner also apart from some other persons. The petitioner was apprehended and joined into investigation on 10.05.2024. He suffered disclosure statement on the basis of which two cellphones, one countrymade pistol and five live cartridges were recovered from him. On his disclosure, some other persons were nominated as additional accused and were arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no specific allegation against him. A false recovery has been planted upon him. The ingredients of subject offences are not attracted qua him. He has clean antecedents. He is in custody since long. His continued detention would not serve any useful purpose. Similarly, situated co-accused Vidyadhar has been extended benefit of bail. On parity, he too deserves the same benefit. It is thus urged that the petition deserves to be allowed.

4. Per contra, learned State counsel has argued that there are serious allegations against the petitioner. He had been providing shelter to other members of the gang. There are chances of his committing



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similar offences or absconding, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

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

6. The petitioner is alleged to be a member of notorious gangsters and in conspiracy with them, he is alleged to have been involved in extortion of money from the businessmen of Gurugram and other places. He was named in the FIR on the basis of suspicion. He does not have any criminal antecedents. He is in custody since 10.05.2024. The trial will take time to conclude, since as informed by learned State counsel, none out of 40 witnesses has been examined, so far. No useful purpose would be served by keeping him in custody anymore. It is well settled proposition of law that the bail is the rule and jail is an exception. Pre-trial incarceration should not be a replica of post-conviction sentencing. Keeping in view the discussion as made above, this Court is of the considered opinion that a case for release of the petitioner on bail has been made out. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds with two sureties each to the extent of same amount to the satisfaction of the learned trial Court/Chief Judicial Magistrate/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.



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(ii) The petitioner shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) The petitioner shall appear before the learned trial Court as and when directed.

(iv) The petitioner shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO and Trial Court.

(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 during trial.

7. 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.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

19.12.2025
Amit Sharma

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