



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

**CRM-M-12123-2026 (O&M)
Reserved on : 12.03.2026
Pronounced on : 16.03.2026**

Vikas

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Argued by : Mr. Rakesh Gupta, Advocate for the petitioner.

Ms. Deepali Verma, Asst. A.G. Haryana.

SURYA PARTAP SINGH, J.

This petition for bail is the second petition, filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.165 dated 17.07.2025, for the commission of offence punishable under Sections 308(4), 351(3), 61 of Bharatiya Nyaya Sanhita, 2023, Police Station Kalanwali.

2. The abovementioned FIR came into being at the instance of 'Anudeep Kumar', hereinafter being referred to as 'complainant' only. It was stated by above-named complainant that he was a businessman and used to help his father in his grocery shop. According to complainant, on 09.07.2025, he received a WhatsApp call on his mobile No.70152-12294 from mobile No.447733957316. As per complainant, the caller threatened to kill him, and demanded ransom. The complainant further alleged that when



he refused to pay extortion money, the call was received on mobile No.83072-17440 belonging to 'Anshu Jindal' at 02:12 pm, who usually accompanies the complainant, and the caller demanded extortion money by extending a threat that if ransom was not paid, their family would be done to death.

3. It is the case of the prosecution that pursuant to abovementioned statement, formal FIR of this case was lodged and the investigation taken up. According to prosecution, during the course of investigation it was revealed that the abovesaid call was made by Baldev Singh @Nikku, lodged in District Jail Rupnagar, and that on search of person of Baldev Singh @Nikku, one mobile phone with SIM No.98771-62388 was recovered.

4. It is the further case of the prosecution that the abovesaid SIM was issued in the name of 'Vikas' (petitioner herein) and the internet facility of abovementioned SIM number was used to facilitate the WhatsApp call from international No.+447733957316. According to prosecution, in view of abovementioned evidence the petitioner has been arrested in this case.

5. Heard.

6. It has been contended by learned counsel for the petitioner that the petitioner is innocent having no nexus, whatsoever, with the commission of crime, and that a SIM card issued in the name of petitioner, was misused by co-accused Baldev Singh @Nikku, which does not mean that the petitioner was active member of extortion racket. According to learned counsel for the petitioner, in fact the petitioner never met the co-accused



Baldev Singh @Nikku, and that the SIM, which was issued in December 2021, was handed over by him to a labourer, and that subsequently from the abovementioned labourer it might have travelled to Baldev Singh @Nikku. While claiming that the petitioner has clean antecedents, and that he has already suffered a prolonged incarceration for a period of more than seven months, the learned counsel for the petitioner has urged for the benefit of bail for the petitioner.

7. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel, in the present case there is ample evidence to show that the petitioner is involved in the commission of offence. As per learned State Counsel, the internet facility of SIM, which was issued in the name of petitioner, was used for WhatsApp call, through international number, to the complainant for demand of ransom and the tower location of the abovementioned SIM also corresponds with the location of District Jail Rupnagar. According to learned State Counsel, the recovery of mobile phone and the abovementioned SIM from Baldev Singh @Nikku, who is an infamous criminal involved in the murder case of prominent singer 'Sidhu Moosewala', substantiates the stand of the prosecution that the petitioner is part of a racket involved in demanding ransom. While claiming that the petitioner has deep link with the elements involved in the racket of collecting ransom, the learned State Counsel has sought for the dismissal of present petition.

8. The record has been perused carefully.

9. With regard to parameters, which are supposed to be looked into by a Court, while granting bail, the necessary guidelines have been laid



down by the Hon'ble Supreme Court of India in the case of 'State of Bihar V/s Dhananjay Mishra' Special Leave Petition (Crl.) No.1334 of 2025. In the abovementioned case, it has been observed by the Hon'ble Supreme Court of India that following factors should be looked into before granting bail:-

- “1. The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence.
2. Reasonable apprehension of tampering with the witness or apprehension of threat to the complainant.
3. Prima facie satisfaction of the court in support of the charge.”

10. The Hon'ble Supreme Court of India in the abovementioned case has also observed that in cases, where the offences are of serious and heinous in nature, capable of creating fear and apprehension in society at large due to the impact they may have, and where the continued presence of the accused on bail is likely to undermine public confidence in the administration of justice or impede the course of the trial, the bail should not be granted.

11. In the abovementioned case, the High Court had accorded the benefit of bail to the respondent-accused. However, while applying the abovementioned parameters, the Hon'ble Supreme Court of India found the respondent to be ineligible for bail, and therefore, the benefit of bail was withdrawn.

12. In the light of abovementioned parameters, if the facts and circumstances of the present case are analyzed, it transpires:-



- i. that allegations against the petitioner are for the commission of heinous nature of offence, i.e. extortion by threatening the businessman. Definitely the abovementioned offence is capable of creating fear and apprehension in the society at large;
- ii. that in the present case, there is direct nexus between the commission of offence and the petitioner, as the SIM card issued in the name of petitioner has been used by the co-accused, who made extortion call; and
- iii. that the custody period of the petitioner is not large enough to draw an inference that the fundamental right of speedy trial or personal life and liberty is being violated, due to delay in trial.

13. Taking into consideration the cumulative effect of all the abovementioned factors, but without commenting anything on merits of the case, it is hereby observed that in view of gravity of offence, the role played by the petitioner in the commission of crime and other mitigating circumstances, the petitioner is not entitled for the benefit of bail. Thus, it is hereby held that the present petition deserves dismissal. The same is hereby *dismissed*, accordingly.

14. However, it is clarified that the abovementioned observations shall not have any bearing upon the merits of the case.

15. Pending miscellaneous application(s), if any, also stand(s) disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

16.03.2026
Gaurav Thakur

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No