



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

CRM-M-14150-2026 (O&M)

Date of decision : 08.05.2026

Maan Singh @Happy

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Argued by : Mr. Viren Sibal and Mr. Harshit Singh, Advocates
for the petitioner.

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

SURYA PARTAP SINGH, J.

This petition for bail is the first 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.201 dated 08.10.2025, for the commission of offence punishable under Sections 308(2), 308(4), 308(5), 140(2), 351(2) and 61 of Bharatiya Nyaya Sanhita, 2023, Police Station Rajaund, District Kaithal.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being at the instance of a joint complaint, submitted by three persons, namely 'Suresh Kumar', 'Krishan Kumar' and 'Rambir'. The pith and substance of the abovementioned complaint was that they all three had contacted 'Manjit' to send their sons, namely 'Aditya', 'Vikrant' and



‘Sumit’, to ‘Canada’, and that ‘Manjit’ had refused to help them on the ground that in view of their educational qualifications, the children were unfit for the same. According to above-named complainants, in the office of ‘Manjit’, ‘Maan Singh’ (the petitioner herein) was also present and he assured the complainants to make arrangement for their children regarding their immigration to ‘Canada’ on tourist visa via ‘Dubai’.

3. It was further alleged by the complainants that on enquires, they came to know that ‘Maan Singh’ was also involved in the occupation of sending children abroad along with ‘Manjit Singh’, and that on account of assurance and allurement by ‘Maan Singh’, they paid money to ‘Maan Singh’ and handed over the passports of their children. According to complainants, ‘Maan Singh’ first took their children to ‘Dubai’ and from ‘Dubai’ to ‘Libya’, where they were kept hostage. As per complainant the hostage were got released on payment of money, and, thereafter, deported to India.

4. It is the case of prosecution that in view of abovementioned joint complaint, formal FIR of this case was lodged and the investigation taken up.

5. Heard.

6. It has been contended by learned counsel for the petitioner that the instant case is one of the rare cases, wherein one of the victims of the same offence is being projected as an accused, by other victims. According to learned counsel for the petitioner, in fact the petitioner himself was



accompanying Aditya, Vikrant & Sumit, where they were made hostages by a Pakistani national and released on payment of ransom. As per learned counsel for the petitioner, during the course of investigation, it has been found by the Investigating Agency, itself, that once the complainants were released by the kidnappers, arrangements for their return to India were made by the petitioner himself.

7. In addition to above, the learned counsel for the petitioner has also contended that the petitioner has already suffered a long incarceration for a period of more than six months, and that there is nothing on record to show that the petitioner had received the ransom money directly or indirectly. It has also been contended by learned counsel for the petitioner that the co-accused, namely 'Ravinder Singh @Rinku', has already been enlarged on bail by the Court of learned Additional Sessions Judge Kaithal, and that there is not evidence which has to be recovered from the possession of petitioner, and that the trial is not likely to be concluded in near future. According to learned counsel for the petitioner, in view of abovementioned prevailing circumstances, the petitioner is entitled for the benefit of bail.

8. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel, in the present case there are very serious allegations against the petitioner, with regard to kidnapping and demand of ransom, and that the evidence collected by the Investigating Agency establishes a direct nexus between the petitioner and the commission of crime. It has also been contended by learned State Counsel that right from the very beginning, the stand of the complainants is



that it was only the petitioner, who had allured them and received money on the pretext of sending them abroad. As per learned State Counsel, at the instance of petitioner, only the complainants' sons visited 'Dubai' and 'Libya', where they were kept hostages and got released on demand of ransom amount. While alleging that the petitioner is the main accused behind the commission of crime, the learned State Counsel has contended that on the ground of parity, the petitioner cannot claim the benefit of bail, as the role of co-accused was not akin to the role of petitioner.

9. The record has been perused carefully.

10. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision: -

- i) that the petitioner is in custody for a period of more than six months;
- ii) that the contents of FIR itself shows that the allegations with regard to kidnapping/abduction of the complainants are in 'Libya', i.e. beyond the territorial jurisdiction of police, who registered the FIR;
- iii) that there is nothing on record to show that the ransom was either demanded by the petitioner or that the same was paid to the petitioner, either through direct channel or through indirect channel;
- iv) that the co-accused of the petitioner has already been accorded the benefit of bail;



- v) that the investigation in this case is already complete, and therefore, nothing has been left to be recovered from the possession of petitioner;
- vi) that the trial is not likely to be concluded in near future;
- vii) that the detention of the petitioner in judicial lockup is not likely to serve any purpose;
- viii) that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses; and
- ix) that there is nothing on record to show that if released on bail, the petitioner will not participate/cooperate in the trial.

11. In the present case, the principles of law laid down by the Hon'ble Supreme Court of India in the case of "Dataram versus State of Uttar Pradesh and another", 2018(2) R.C.R. (Criminal) 131, are also relevant, wherein it has been observed that "a fundamental postulate of criminal jurisprudence is the presumption of innocence, meaning thereby that a person is believed to be innocent until found guilty. However, there are instances in our criminal law where a reverse onus has been placed on an accused with regard to some specific offences but that is another matter and does not detract from the fundamental postulate in respect of other offences. Yet another important facet of our criminal jurisprudence is that the grant of bail is the general rule and putting a person in jail or in a prison or in a correction home (whichever expression one may wish to use) is an exception. Unfortunately, some of these basic principles appear to have been lost sight of with the result that more and more persons are being incarcerated and for longer periods. This does not do any good to our



criminal jurisprudence or to our society. There is no doubt that the grant or denial of bail is entirely the discretion of the judge considering a case but even so, the exercise of judicial discretion has been circumscribed by a large number of decisions rendered by this Court and by every High Court in the country. Yet, occasionally there is a necessity to introspect whether denying bail to an accused person is the right thing to do on the facts and in the circumstances of a case”.

12. The principles laid down by the Hon’ble the Supreme Court of India in the case of ‘Satender Kumar Antil Vs. Central Bureau of Investigation and Another’, (2022) 10 SCC 51, are also relevant in this case. In the abovementioned case, it has been observed that “the rate of conviction in criminal cases in India is abysmally low. It appears to us that this factor weighs on the mind of the Court while deciding the bail applications in a negative sense. Courts tend to think that the possibility of a conviction being nearer to rarity, bail applications will have to be decided strictly, contrary to legal principles. We cannot mix up consideration of a bail application, which is not punitive in nature with that of a possible adjudication by way of trial. On the contrary, an ultimate acquittal with continued custody would be a case of grave injustice”.

13. Recently, in the case of ‘Tapas Kumar Palit Vs. State of Chhattisgarh’, 2025 SCC Online SC 322, the Hon’ble Supreme Court of India has observed that “if an accused is to get a final verdict after incarceration of six to seven years in jail as an undertrial prisoner, then, definitely, it could be said that his right to have a speedy trial under Article



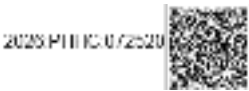
21 of the Constitution has been infringed”. It has also been observed by the Hon’ble Supreme Court of India in the abovementioned case that “delays are bad for the accused and extremely bad for the victims, for Indian society and for the credibility of our justice system, which is valued. Judges are the masters of their Courtrooms and the Criminal Procedure Code provides many tools for the Judges to use in order to ensure that cases proceed efficiently”.

14. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to the accused as mandated by Hon’ble Apex court in “Balwinder Singh versus State of Punjab and Another”, 2024 SCC Online SC 4354.

15. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of bail, and that the present petition deserves to be allowed.

16. Accordingly, without commenting anything on the merits of the case, the present petition is hereby *allowed*. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However the abovementioned concession shall be subject to following conditions:-

- (i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with



the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority;

- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- (iii) that the petitioner shall not leave India without prior permission of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

08.05.2026
Gaurav Thakur

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