



CRM-M-50063-2025

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

CRM-M-50063-2025

Date of Decision: 18.03.2026

Raja Ram

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. R. Krishnaamorthi, Advocate and
Mr. Purushotam, Advocate, for the petitioner.
Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.203 dated 12.10.2023, registered under Sections 342, 386, 395, 364-A, 420, 467, 468, 471, 506, 204 IPC and Section 27 of the Arms Act, and Sections 66C and 66D of the Information Technology Act, 2000, at Police Station Bahin, District Palwal.

2. Succinctly facts of the case are that FIR in the present case was lodged on the statement of the complainant, namely, Hitesh Bhargwanjit Shah. It was alleged that firstly, the complainant and his salesman were invited to Delhi by preparing a fake profile of a 'paper' dealer on the website. On 28.08.2023, when they reached Delhi, they were abducted and brought to Gehlab, District Palwal. They were put in fear of death and grievous hurt to them and their family. Money and valuable items were extorted from them. Ransom was demanded for their release. Rs.7 lacs were transferred by the family members of the complainant by doing on-line transaction. The data of the phone and laptop of the complainant was copied. Thereafter, the complainant who hails from Mumbai first approached Gurugram Police on 10.10.2023, upon which the zero FIR No.655 dated 11.10.2023 under Sections 420,341,386,506,395 IPC & Section 25 of the Arms Act was



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registered, in P.S.Sadar Gurugram. Later, the FIR was registered in Police Station Bahin, Palwal. On the registration of the FIR, the investigation commenced. During investigation, a child-in-conflict-with-law was apprehended. During enquiry, the Child-in-conflict-with-law revealed the names of other accused persons including his father Raja Ram (petitioner), Narveer, Harish, Rahul and Jahid. Thereafter, Rajaram was arrested on 14.10.2023. He approached the Court of learned Additional Sessions Judge, Palwal, for the grant of regular bail. However, learned Court after hearing both the sides, finding no merit in the petition filed by the petitioner, dismissed the same vide order dated 06.06.2025. Earlier the petitioner approached this Court by way of filing CRM-M-45518-2024, however, the same was dismissed as withdrawn vide order dated 19.05.2025. Hence, the petitioner is before this Court again by way of filing the present second petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that neither the petitioner is named in the FIR, nor any overt act has been attributed to the petitioner. However, during investigation, he has been implicated in the present case on the basis of presumptions and assumptions. It is contended that even the amount of Rs.7 lacs, which has been alleged to be transferred, has not been transferred in the account of the petitioner, but the same has been transferred in the account of the co-accused. To buttress his arguments, he has submitted that the petitioner has no criminal antecedents as he has never been involved in other case. He submits that even otherwise, the complainant already stands examined and thus, there is no probability of influencing the prosecution witnesses by the



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petitioner. He submits that the petitioner is behind the bars from the last about 2½ years, however, there is no material progress in the trial and thus, right of the petitioner of speedy trial has been miserably defeated. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner is one of the main accused in the offence committed. He submits that it is not only the petitioner, but his son is also involved in the offence as alleged, however, as his son was juvenile, he was granted bail. He submits that the petitioner hatched conspiracy alongwith the co-accused. On instructions, he submits that out of total 39 prosecution witnesses, 08 witnesses, including the complainant, have been examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that complicity of the petitioner was surfaced during the investigation. Out of total 39 prosecution witnesses, 08 witnesses, including the complainant, have been examined. As per the custody certificate of the petitioner, he has completed incarnation of 02 years, 05 months & 04 days as on 17.03.2026. It further shows that the petitioner has no criminal antecedents. As submitted before this Court, the alleged amount of Rs.7 lacs has been transferred in the account of the co-accused. Speedy trial is the right of every accused.

6. The Hon'ble Supreme Court in Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC



695 has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

7. The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in **Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024,** has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.
8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.
9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.
10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

18.03.2026
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No