



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-50527 of 2025

Reserved On: 12.01.2026
Pronounced On: 28.01.2026

Karan Sharma alias Babla

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. R.S.Rai, Senior Advocate
with Mr. Sukhsaran Sra and Ms. Radhika Mehta, Advocates
for the petitioner(s).

Ms. Deepali Verma, Assistant Advocate General,
Haryana, for the respondent.

Mr. Pradeep Virk, Senior Advocate
with Mr. Kamal Deep Sehra, Advocate
for the complainant.

Surya Partap Singh, J.

1. For the commission of offence punishable under Sections 115, 140(2), 308(5), 351(3) and 61(2) of the Bharatiya Nyaya Sanhita, 2023, hereinafter being referred as “BNS” only and Sections 25, 27 and 30 of the Arms Act, 1959, the FIR No. 240 dated 21.08.2025 has been lodged in Police Station Civil Lines, District Sonipat, Haryana. This is first petition for anticipatory bail, filed by the petitioner, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, hereinafter being referred to as “BNSS” only.

2. Briefly stating the facts emerging from record are that the above mentioned FIR came into being at the instance of Manish Kumar, hereinafter being referred to as “complainant” only. It was stated by the above named

complainant that he was serving in Income-tax Department at Mumbai and that on 03.03.2025 he had visited his relative, namely 'Mai Ram' in the presence of 'Amit', resident of Bahadurgarh. According to complainant, in his presence 'Mai Ram' received a WhatsApp call from 'Babla' (petitioner herein) who told 'Mai Ram' that 'Amit Bindal' co-accused wanted to meet him with regard to a case of gang-rape registered against their relative 'Mohan Lal Badoli' at Kasauli. As per complainant, the petitioner had further stated that initially they were shocked and agreed to meet, and thereafter the petitioner, 'Amit Bindal' and driver of Amit Bindal, namely Renu met them.

3. It was further stated by the complainant that all the above named three persons came there to meet them and in the above mentioned meeting it was stated by 'Amit Bindal' that the victim girls were demanding ₹20,00,00,000/- to patch up the matter. According to complainant, Amit Bindal had also raised a demand to get him appointed as Chairman in Haryana. It was also stated by the complainant that he had recorded the entire conversation, and that in his presence, ₹2,00,000/- in cash was given to the petitioner. According to complainant thereafter he went to the house of petitioner and handed over ₹8,00,000/- in cash to Renu and thereafter, Renu and the petitioner continued to talk to him and Mai Lal through WhatsApp call.

4. It was also stated by the complainant that on 14.01.2025 the petitioner took the complainant to the residence of Amit Bindal and when they were talking to each other, he stated recording of the conversation, but the above named persons came to know about it and asked him to keep the

mobile phone outside. According to complainant, thereafter, he was kept hostage by 'Amit Bindal' and his family members and they demanded money. As per complainant he was thrashed but later on got himself released by making a promise to the above named assailants that once he reached home he would pay the demanded money.

5. It is the case of prosecution that in view of the above mentioned information which was received through an e-mail, the formal FIR of this case case was lodged and the investigation taken up.

6. Heard.

7. It has been contended on behalf of petitioner that the petitioner is innocent having no nexus, whatsoever, with the commission of crime, and that by cooking up a false story, the petitioner has been implicated in a false case. According to learned counsel for the petitioner, from the contents of FIR as well as facts and circumstances of the case it stands revealed that no substance with regard to commission of crime of any offence against the petitioner is there. According to learned counsel for the petitioner, neither there is any allegation that the money was paid to him nor that in the alleged kidnapping of complainant the petitioner was instrumental nor that any threat was given to the complainant by the petitioner.

8. In addition to above, it has also been contended by learned counsel for the petitioner that one of the most interesting factor in the present case is that even the FIR with regard to gang rape lodged in Police Station Kasauli has already been cancelled and the cancellation report has been accepted by the Court. According to learned counsel for the petitioner, the main accused in the present case, i.e. Amit Bindal and Renu have already

been afforded the benefit of anticipatory bail by the learned Additional Sessions Judge by virtue of order dated 31.10.2025.

9. The learned State counsel being assisted by the learned counsel for the complainant has controverted the above mentioned arguments. According to learned State counsel, in the present case, the petitioner is not entitled to seek the benefit of anticipatory bail on the ground of parity, as the co-accused, namely Amit Bindal and Renu were afforded the benefit of bail only when they were in custody for a period of more than two months. It has also been contended by the learned State counsel that allegations in the present case are very serious, i.e. kidnapping for ransom and also extortion of money on false pretext. As per learned State counsel, in order to fix the role of petitioner in the commission of offence his custodial interrogation is necessary, and that the present petition for anticipatory bail is devoid of merit.

10. The record has been perused carefully.

11. A careful perusal of record shows that in the present case, there are several factors which are relevant for consideration, before arriving at any decision. Those factors are:-

- i) that there is delay of eight months in reporting the matter to the police. The contents of FIR itself shows that the alleged incidents had taken place on 03.01.2025 and 14.01.2025, but the request for lodging the FIR was preferred on 21.08.2025. There is no explanation for such a huge delay in reporting the matter to the police and this fact in itself is fatal for the credibility of

prosecution case;

- ii) that the benefit of anticipatory bail has been afforded to co-accused, namely Amit Bindal and Renu and qua them on conclusion of investigation even the final report under Section 193(3) of BNSS has already been filed;
- iii) that the contents of FIR shows that the only role attributed to the petitioner is that on 03.01.2025 he had called Mai Ram and told him that Amit Bindal wanted to meet him. Secondly that he accompanied Amit Bindal when Amit Bindal came to meet Mai Ram and complainant and thirdly, he accompanied the complainant to the house of Amit Bindal where he was allegedly kept hostage;
- iv) that there is no specific allegation against the petitioner that any money was paid to him or that any money was demanded by him or that in the event of keeping hostage any role was played or force was used by the petitioner;
- v) that in the present case, Section 140(2) of BNS has been invoked but there is a credible doubt about the applicability of above mentioned provision of BNS as the contents of FIR itself shows that the complainant had visited the residence of Amit Bindal voluntarily and there was no use of force/abduction of the complainant when he went to the house of Amit Bindal;

- vi) that the contents of FIR shows that nothing is to be recovered from the possession of petitioner and therefore, his custodial interrogation is not likely to produce any favourable results;
- vii) that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; And
- viii) that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

12. Taking into consideration the cumulative effect of all the aforesaid factors, the present petition deserves to be allowed. Hence, the same is hereby **allowed**. In the event of his arrest, the petitioner shall be released on anticipatory bail on furnishing bonds to the satisfaction of Investigating Officer. The petitioner shall join the investigation as and when called by Investigating Officer. He shall abide by the terms and conditions as envisaged under Section 482(2) of the BNSS, 2023.

13. It is, however, made clear that any observation made here-in-above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

(Surya Partap Singh)
Judge

January 28, 2026
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No