

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

2025:PHHC:082179



237

CRM-M-20645-2025

Date of decision:08.07.2025

Amit

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Vineet Chaudhary, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

**Manisha Batra, J. (Oral).**

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.502 dated 25.12.2024 registered under Sections 308(5), 351(3), 238, 61(2) of BNS at Police Station Rajendra Park, Gurugram.

2. The above mentioned FIR was registered on the basis of a complaint lodged by the complainant – Nikhil Sharma alleging therein that he was involved in the business of manufacturing broadband and was running a office in Sector-102, Gurugram. On the evening of 16.12.2024, he received a whatsapp message on his phone. After sometime, he received a whatsapp call from the same number and the caller while introducing him as one Tiger told the complainant that he was a member of gang of gangster Rohit Godara and demanded a sum of Rs.50 lakhs while extending threat that recce of his son, house as well as office was done by other members of

his gang. The complainant told him that he did not know any person with the name of Rohit and then caller started saying that they were the persons who had used grenades in a club in Gurugram sometime back and also extended threat to kill the complainant if money was not given. On the next day also, the same caller made a call to the complainant and demanded a sum of Rs.5 lakhs. The complainant kept the amount of Rs.5 lakhs in a bag and kept it in the informed place. He saw a youth while taking away that bag. On the next morning also, he received a call from same mobile number and the caller raised demand of more money. While apprehending danger to save his family members and himself, he prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated. On 27.12.2024, the petitioner and co-accused Ravi and Mohit Kumar were apprehended on the basis of a secret information and were ultimately arrested. They suffered disclosure statements on interrogation and admitted their involvement in the subject crime. Offences under Sections 61(2) and 238 of the BNS were added. Recovery of cash amount of Rs.4.5 lakhs from the black bag was effected from the petitioner. He also got effected recovery of his car which was used in the crime. The test identification parade was got conducted. The petitioner was, however, not identified by the complainant. Investigation stands completed and challan has been presented .

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. No specific act has been attributed to him. The disclosure statement allegedly suffered by him and co-accused cannot be considered to be admissible in evidence. The petitioner did not derive any benefit by way of commission of

subject offence. He is in custody since long. The trial would take considerable time to conclude. No useful purpose would be served by keeping him in custody anymore. Co-accused, Mohit Kumar, Jagat and Ajit @ Babbal have been extended the benefit of regular bail by learned trial Court. On parity, he too deserves to be extended the same benefit. With these broad submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that by keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail and the present petition does not deserve to be allowed.

5. I have heard rival submissions made by learned counsel for the parties.

6. The petitioner in connivance with co-accused is alleged to have purchased a mobile phone and obtained a sim card from one Vijay and by using the same phone is alleged to have made threat call to the complainant by posing himself as one Tiger belonging to gangster Rohit Godara group. He is alleged to have conducted recce in the office of the complainant and is alleged to be the mastermind of the crime. He is, however, in custody since 26.12.2024. Investigation in the case is complete and the trial would take time to conclude. Co-accused have been extended the benefit of bail. Further incarceration of the petitioner would not serve any useful purpose. He has clean antecedents.

7. Keeping in view the above facts and circumstances, this Court is of the considered opinion that the present petition deserves to be allowed. Hence, the petitioner is ordered to be released on bail subject to his

furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

8. It is, however, made clear that nothing stated hereinabove shall have any bearing on the merits of the case.

9. This order shall come into force from the time it is uploaded on this Court's official webpage.

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

**(MANISHA BATRA)**  
**JUDGE**

**08.07.2025**

*harjeet*

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