



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-11117-2025
Date of decision: 17.03.2025

Manish Kumar

.....Petitioner

Versus

The State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Chandan Singh, Advocate
for the petitioner.

Mr. Rajat Gautam, Addl. A.G. Haryana.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.236 dated 14.04.2024 under Sections 147, 149, 323, 365, 506 of the IPC (Section 342 of the IPC added lateron), registered at Police Station Samalkha, District Panipat.

2. On the previous date of hearing, notice was issued to the State based on the following contentions advanced by learned counsel for the petitioner:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner has been nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused, Anil, who was named in the FIR in question; allegedly co-accused, Anil, along with 7-8 unidentified persons after physically assaulting the son of the complainant, had abducted him and thereafter, raised a demand for ransom. It has been submitted by the learned counsel that the petitioner has no previous criminal antecedents and other than the disclosure statement allegedly suffered by co-accused, Anil, there is no



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incriminating evidence on record connecting the petitioner with the alleged crime.”

3. In response, the State has filed reply by way of an affidavit of Satish Kumar, HPS, Deputy Superintendent of Police, HQ, Panipat, in the Court today, which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

4. Learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner for extending the extraordinary concession of anticipatory bail to the petitioner in light of the specific allegations and the role attributed to all the accused, including the petitioner, in the FIR (Annexure P-1). Additionally, the State has placed reliance on CCTV footage retrieved by the police, which clearly captures the presence of the main accused, Anil, at the scene of the abduction. The footage, though taken from a considerable distance, shows accused Anil accompanied by 7-8 other individuals, one of whom is alleged to be the petitioner. While the features of the petitioner are not distinctly visible, his name surfaced during the interrogation of accused Anil, who made a disclosure statement nominating him.

5. Furthermore, learned State counsel submits, after the victim was abducted by all the accused, including the petitioner, he was taken near the Namunda River, where he was compelled to call his father and a demand for ransom of Rs.15 lakhs was made, failing which he was threatened with being thrown into the river. When the father of



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the victim, that is the complainant, failed to comply, the accused, including the petitioner, took the victim to Ganaur. However, on the way when the accused persons stopped their vehicle, the victim managed to escape from their custody and sought refuge at the police station, where he also underwent medical treatment for injuries, sustained at the hands of the accused. It has been still further submitted that investigation revealed that the prime accused Anil orchestrated the abduction due to a monetary dispute with the father of the victim.

6. Learned State counsel has, therefore, argued that custodial interrogation of the petitioner is necessary to ascertain the full extent of his involvement in the crime and the allegations levelled in the FIR which stands reproduced hereinunder, and to trace the other absconding accused:

“Contents of the complaint are as under: To, the In-charge, Police Post Samalkha. Sir, My name is Jitender S/o Lakhmi Chand and I am resident of Sangam Colony, Samalkha. I have one son namely Ajay. My son Ajay is running a property office at G.T., Road. Today on 14.04.2024 I have received a call from Ajay S/o Ishwar, R/o Village Narayana that I He and my son Ajay were sitting in the office when Anil son of Ramdhari, R/o village Bahaman Majra brought 7-8 boys with him and started beating Ajay when he tried to stop them they also started fighting with me and snatched the phones and locked him inside and dragged Ajay with them. He told this to me. I quickly reached the office and got the door opened. Since then I am getting calls from my son Ajay's phone number 9138384536 in which the boys are demanding and saying that bring 15 lakhs or else we will kill your son and he is telling that he is near the river canal. Please save my son. And legal action should be taken against them SD JITANDER SINGH Jitendra son of Laxmi Chand resident of Sangam colony Samalkha Ph-9034382449.”

7. Accordingly, the State has prayed for dismissal of the



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present petition.

8. I have heard learned counsel for the parties and perused the relevant material on record, including the contents of the FIR and the reply filed by the State today.

9. The allegations against all the accused, including the petitioner, are grave and serious in nature. The FIR, coupled with the investigation conducted so far, *prima facie* points towards the active participation of all the accused, including the petitioner, in the forcible abduction of the son of the complainant, who was also physically assaulted by them; subsequently a demand of ransom of Rs.15 lakhs was made along with threats of dire consequences. The involvement of the petitioner has surfaced not only through the disclosure statement of co-accused Anil, but also through the CCTV footage that places him at the scene of the crime along with the other accused, albeit not in a distinctly identifiable manner. It is further alleged that the victim was confined and later managed to escape, after which he immediately sought police intervention. The motive behind the abduction is linked to a monetary dispute between the complainant and the prime accused, and several accused persons remain at large.

10. Given the seriousness of the allegations, the role attributed to the petitioner, and the fact that custodial interrogation is necessary to unearth further details and apprehend the absconding co-accused, this Court finds no merit in extending the extraordinary concession of anticipatory bail to the petitioner. The mere absence of previous criminal antecedents is not sufficient to extend the concession of



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anticipatory bail to the petitioner, particularly when the allegations pertain to an organized act of abduction and extortion.

11. Accordingly, the prison petition stands dismissed.

12. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

17.03.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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