



CRM-M-5354-2025

-1-

(212)

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

**CRM-M-5354-20253  
Date of Decision: 05.02.2025**

**MOHD. MIZANUR REHMAAN****... Petitioner****Versus****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Mehtab Singh Bhatti, Advocate  
for the petitioner.

Mr. Vinay Phogat, Asstt. A.G., Haryana.

\*\*\*\*

**JASJIT SINGH BEDI, J.**

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.226 dated 13.04.2023 registered under Sections 420/120-B IPC at Police Station Ambala City, Ambala.

2. The present FIR came to be registered at the instance of Vikram Singh son of Randhir Singh who stated that he was running two shops of clothes and shoes at Sai Market, Shahzadpur. On 11.04.2023, two boys came to his shop. They bought slippers from him after which they showed him a currency note of 20 dollars. On being asked about the same, the boys disclosed that their aunt was a maid servant at a house in Delhi and on account of the death of the house owner, some clothes tied in a bundle had been given to their (accused person's) aunt to throw away. The said bundles

**CRM-M-5354-2025****-2-**

of clothes contained dollar notes. On a negotiation, he (complainant) agreed to purchase a 20 dollar note for Rs.190/-. Thereafter, the boys told him that they would contact their aunt, count the number of dollar notes and would inform him (complainant). On 12.04.2023, he received a phone call and was asked to come to Saha. He along with his friend Ajay Kumar son of Yudhveer Singh went to Saha in their car. Along with two boys who had come earlier, there was another boy carrying a bag a stack of 20 dollar notes. However, due to non-availability of money, they (complainant party) went back. On 13.04.2023, he (complainant) again got a call that they (accused party) would be coming to Ambala with the dollar notes. They stated that they had 1735 notes of 20 dollars each for which they demanded Rs.3,40,000/-. After collecting the said amount from his friends and relatives, they (complainant party) started waiting for the boys. At around 06.00 PM the boys came towards them (complainant party) and gave him a bag stating that the said bag contained 1735 notes of 20 dollars each. He (complainant) started opening the bag to check for the dollars. Meanwhile, the boy took an amount of Rs.3,40,000/- from him (complainant) and started making a noise. Thereafter, they (accused boys) fled away with the money. When he (complainant) opened the bag, it was found to contain a bundle of newspaper cuttings. They searched for the boys who could not be found. Thus, they had been cheated of an amount of Rs.3,40,000/-.

Pursuant to the registration of the aforementioned FIR, the Investigating Agency collected the CCTV footage from the shop of the

**CRM-M-5354-2025****-3-**

complainant situated at Shahzadpur. On 17.04.2023, on the basis of secret information Mohd. Firdous (granted bail vide order dated 19.10.2023 passed in CRM-M-30507-2023) son of Abdul Latif resident of Bangalore (Karnataka) and Mohd. Mizanur Rehmaan (petitioner) son of Abdul Latif resident of Village Pathamara, District Bagerhut, Bangladesh were arrested along with the motorcycles used in the commission of the offence. During their personal search, one note each of 20 dollars was recovered and taken into possession.

The aforementioned accused were interrogated and disclosed the names of Mohd. Rafiq (granted bail vide order dated 19.10.2023 passed in CRM-M-29945-2023) son of Rashid, Mohd. Rijaub @ Rejol (granted bail vide order dated 19.10.2023 passed in CRM-M-29980-2023) son of Rashid both residents of Buland Shahar, Mohd. Mizanur Rehmaan (petitioner) son of Abdul Latif resident of Bangladesh, Mana Devi (granted bail vide order dated 19.10.2023 passed in CRM-M-33572-2023) wife of Narain Dass, resident of District Bareilly (UP) and Shabir, Raju and Narain residents of Bareilly.

As per investigation, Mohd. Rafiq was a member of their gang for the purposes of conducting a reece and was given Rs.2000/- as his share. The main accused were stated to be Shabir, Mohd. Firdous and Mohd. Mizanur Rehmaan (petitioner) who had made the plan and had executed the same with the help of other co-accused namely, Mohd. Rafiq, Mohd. Rijaub @ Rijol, Mohd. Mizanur Rehmaan and Mana Devi wife of Narain Dass.



**CRM-M-5354-2025**

-4-

During the course of investigation, Mohd. Firdous got recovered an amount of Rs.20,500/- and co-accused Mohd. Mizanur Rehman got recovered Rs.19,500/-

On 20.04.2023, Mohd. Firdous got recovered a bag of co-accused Shabir (Contractor). The bag contained Rs.80,000/- along with the documents of a motorcycle purchased in the name of Shabir.

Meanwhile from the Court Complex at Ambala City, Mohd. Rijaub @ Rijol, Mohd. Rafiq and Mohd. Rijana Rehman were apprehended. The recovery of Rs.1000/- came to be effected from Mohd. Rafiq. Thereafter, Mana Devi wife of Narain Dass was arrested. Rijaub @ Rijol got recovered Rs.1200/-, Mohd. Mizanur Rehman got recovered Rs.1300/- and accused Mana was recovered Rs.2500/-.

Shabir, Raju and Narain could not be arrested.

After the completion of investigation, the report under Section 173(2) Cr.P.C. submitted against six accused namely, Mohd. Rafiq, Mohd. Rijaub @ Rijol, Mana Devi, Mohd. Firdous, Mohd. Mizanur Rehman (petitioner) and Mohd. Majibu Rehman.

3. The learned counsel for the petitioner contends that the co-accused of the petitioner namely, Mohd. Rafiq, Mohd. Rijaub @ Rijol, Mana Devi, Mohd. Firdous have been granted the concession of bail. As the petitioner was in custody for the last 01 year, 09 months and 12 days but only 01 out of the 11 prosecution witnesses had been examined so far, the trial of

**CRM-M-5354-2025**

-5-

the present case was not likely to be concluded anytime soon and therefore, he was entitled to the concession of bail.

4. On the other hand, the learned State counsel contends that co-accused who had been granted the concession of bail vide order dated 19.10.2023 have not appeared before the Trial Court during the course of the trial and have been declared proclaimed offenders vide order dated 22.11.2024 and 02.01.2025. He, therefore contends that the petitioner was not entitled to the similar concession as he too is likely to abscond, if granted the concession of bail.

5. I have heard the learned counsel for the parties.

6. While, it is true that the co-accused of the petitioner were granted the concession of bail, it has now been brought to the notice of the Court that the said co-accused have been declared proclaimed offenders. In this situation, if the petitioner is granted the concession of bail, there is every possibility that he too would abscond ultimately frustrating the trial.

7. In view of the above, I find no reason to grant the concession of bail to the petitioner. Therefore, the present petition stands dismissed.

**(JASJIT SINGH BEDI)**  
**JUDGE**

**05.02.2025**

JITESH

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