

CRM-M-17594-2025

**249 IN THE PUNJAB AND HARYANA HIGH COURT  
AT CHANDIGARH**CRM-M-17594-2025  
Decided on:04.04.2025

Rashid

.... Petitioner

versus

State of Haryana

.... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**Present: Mr. Abhimanyu Singh, Advocate  
for the petitioner.

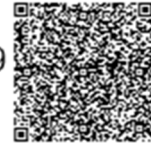
Mr. Sheenu Sura, DAG, Haryana.

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

This is the first petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case arising out of FIR No.270 dated 03.10.2023 registered under Sections 147, 149, 323, 364-A, 386, 387, 427 and 506 IPC and 25 Arms Act at Police Station Bhondsi District Gurugram.

2. The aforementioned FIR was registered on the basis of a complaint lodged by the complainant Isthak Khan on 03.10.2023 alleging therein that on 30.09.2023, he received a whatsapp call whereby demand of an amount of Rs.1.5 lacs was raised by the caller and otherwise threats were given to kill him or his family members. On 01.10.2023, his co-villager Shahid had taken his Scorpio car for some work from him. On 02.10.2023, he received another call to the effect that his Scorpio car was in possession of the caller and would be given back only on receipt of a sum of Rs.16 lacs. On asking of the caller, the complainant had gone to meet him at the informed place wherein some persons had snatched a sum of Rs.8,000/- while raising demand of more money and otherwise to face dire consequences, they had fled. On the same day, when he made call to Shahid to know about his vehicle, he was informed by Shahid that

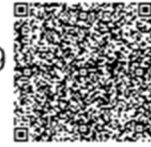


CRM-M-17594-2025

he had been abducted by accused Amit, Bobby, and Salim and they were demanding a sum of Rs.16 lacs to release him and were also extending threats to kill him. The complainant reported the matter to the police and had gone to village Hariyaheda where his vehicle was found lying parked. Shahid was also found present there along with some of the accused and it was with the help of police that Shahid was got released from illegal custody. After registration of FIR, investigation proceedings were initiated, and it was revealed that the petitioner was involved with the co-accused in abducting Shahid and raising demand of ransom money. The petitioner was arrested on 08.06.2024. The investigation stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences. He moved an application for grant of regular bail, which has been dismissed by the Court of learned Addl. Sessions Judge, Gurugram vide order dated 11.02.2025.

3. It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He was not named in the FIR and has been involved in this case only due to being brother of co-accused Salim @ Saleem. Salim @ Saleem as well as some other co-accused namely Amit, Rohit Dagar @ Bobby, Javed, Jabir and Mohd. Ismnaail have since been extended the benefit of regular bail. The petitioner is in custody since long. The victim Shahid has not supported the prosecution version while appearing as witness before the learned Trial Court. The material witnesses Sohab Khan and Khurshid Ahmad @ Kurrai have also not supported the prosecution version. The trial would take considerable time to conclude. His further detention would not serve any useful purpose. Accordingly, it is urged that the petitioner deserves to be released on bail.

4. Per contra, learned State counsel, who has advance notice of the petition and is ready to argue the matter, has submitted that keeping in view the



CRM-M-17594-2025

gravity of allegations as levelled against the petitioner, he does not deserve to be released on bail.

5. Rival contentions raised by both the sides have been given due consideration.

6. The victim Shahid, who was alleged to have been kidnapped by the petitioner in connivance with the co-accused, has not supported the prosecution case and resiled from his statement allegedly recorded before the police under Section 161 Cr.PC. The complainant did not name the petitioner in the FIR nor any specific act had been attributed to him. The petitioner is in custody since 08.06.2024. The trial is likely to take time. The co-accused Salim @ Saleem and Mohd. Ismail, have since been extended the benefit of bail. On parity, the petitioner too deserves to be given the same benefit. Taking into consideration the period spent by the petitioner in custody, the nature of evidence, which has come on record and the above discussed facts but without meaning to make any comment on the merits of the case lest the same prejudice the trial, it is observed that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

04.04.2025  
sonia

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

Whether speaking/non-speaking?  
Whether reportable?

Yes/No  
Yes/No