

CRM-M-15755-2025 (O&M)

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207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15755-2025 (O&M)
Date of decision: 27.03.2025

AMAN @ AMAN QURESHI

...PETITIONER

VERSUS

STATE OF HARYANA AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Pooja Jaglan, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Abhishek Mali, Advocate for respondent No.2.

ANOOP CHITKARA, J. (ORAL)

CRM-11867-2025

Allowed as prayed for.

Main case

| Petition for Regular Bail under Section 483 BNSS | | | |
|--|------------|-----------------------|--|
| FIR No. | Dated | Police Station | Sections |
| 282 | 07.09.2024 | Sector-13-17, Panipat | 308(5) of BNS and Section 3(5) of BNS added later on |

- The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of BNSS, seeking regular bail.
- Per paragraph 13 of the bail application, the accused has the following criminal antecedents:

| Sr. No. | FIR No. | Date | Offenses | Police Station |
|---------|---------|------------|---------------|--------------------------|
| 1. | 532 | 06.09.2024 | 308(4) of BNS | Lahori gate, North Delhi |

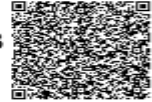
- The facts and allegations are being taken from the translated version of the FIR, which reads as under:-

"FIR No. 282, dated 07.09.2024, registered under sections 308(5) BNS, 3(5) BNS added later on registered at police station Sector 13-17, Panipat, Haryana.



On 07.09.2024, Nadeem, son of Abbas Qureshi, resident of Raant Nagar, Main Gali, near Singla Kirana Store, Ward No. 26, Panipat, came present at Police Station Sector 13/17, Panipat, and submitted a complaint. The essence of the complaint is as follows: To, SHO Sahib, Police Station Sector 13-17, Panipat. Sir, It is respectfully submitted that I, Nadeem, son of Abbas Qureshi, resident of Raant Nagar, Main Gali, near Singla Kirana Store, Ward No. 26, Panipat, am a resident. I run a business of used clothing, which I import from abroad and sell to traders in Panipat. Today, on 05.09.24, at approximately 7 PM, I was at my warehouse, located near the Gas Godown on Badsat Road. My family members informed me via phone that someone rang the doorbell at home and gave a letter to a child, instructing them to give it to Nadeem. When the family members opened it, they saw that a ransom of one crore rupees was demanded via WhatsApp on my mobile number 70151. The letter stated that if one crore rupees are not given by Sunday, you and your brother will be killed. The image of the accused has been captured in the cameras of my neighbours in my street. I informed Dial 112 about this. I am living in great fear. When I told my market traders about this, they reassured me and advised me to go to the police. Therefore, I request you to provide me with police assistance and take action against the culprit. The letter and my business documents are attached.SD/- Nadeem Mobile Number: 70151. Based on the essence of the complaint, an offense under Section 308(5) BNS was found to have been committed, and therefore, Case No. 282, dated 07.09.2024, under Section 308(5) BNS, Police Station Sector 13/17, Panipat, was registered."

5. Counsel for the petitioner submits that the wife of the petitioner has delivered a baby girl on 21.03.2025 and is required to be taken to hospital for dressing on alternate days and there is nobody to take care of her. Pre-trial incarceration would cause an irreversible injustice to the petitioner and his family. She further submits that petitioner has no objection if any stringent condition is imposed while granting bail.
6. Counsel for the State opposes the bail.
7. Counsel for the complainant submits that he would have no objection if bail is granted to the petitioner as matter stands compromised between the parties.



REASONING:

8. Since the matter stands compromise, as such, there is no reason to deny bail to petitioner. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per paragraph 7 of the bail petition, the petitioner has been in custody since 14.10.2024. Per the custody certificate dated 26.03.2025, the petitioner's total custody in this FIR is about 05 months and 13 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

10. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

11. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

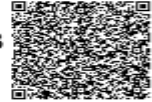
| | | |
|----|--|--|
| 1. | AADHAR number | |
| 2. | Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk. | |
| 3. | Mobile number (If available) | |
| 4. | E-Mail id (If available) | |

12. This order is subject to the petitioner's complying with the following terms.

13. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

14. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.



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16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

17. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

27.03.2025
renubala

(ANOOP CHITKARA)
JUDGE

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