



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Date of Decision:-21.08.2025

CRM-M-40463-2025

Bhim Sain.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

AND

CRM-M-40475-2025

Pankaj.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. G.C. Shahpuri, Advocate for the Petitioner
(in both the petitions).

Mr. T.P. Singh, Sr. DAG Haryana..

JASJIT SINGH BEDI, J.(ORAL)

By this common order I shall dispose of both the
aforementioned petitions as the same have arisen out of one and the same
FIR.

2. The prayer in these petitions under Section 483 of Bhartiya
Nagarik Suraksha Sanhita, 2023 is for the grant of regular bail to the
petitioners in case FIR No.292 dated 06.08.2023 under Sections 364-A, 120-



B IPC registered at Police Station Bilaspur, District Yamuna Nagar.

3. The present FIR came to be registered at the instance of Gaurav Gupta and reads as under:-

“ To Station House Officer, Police Station Bilaspur, Sir, it is submitted that I Gaurav Gupta s/o Shri Ram Kumar, caste Baniya, R/o 268, Kali Mata Mandir Wali Gali, Bilaspur and my father Ramkumar Ji who runs a grocery shop in front of Guga Madi and goes to Hartaul Road every morning for a walk and comes back after walking for an hour or two. Today on 6/08/2023 at 6:10 AM he had gone for a walk and he was having his mobile number 90502-98678, who did not return home till about 7:30 AM but from his mobile number 90502-98678, call was received on my mobile number 93501-15746 that I will return by evening after the walk, which we sat quietly. But now at around 10:30 AM, a call received from mobile number 90502-98678, on phone number 93064-79338 of my sister who stated that I have been detained by someone a come on and they are demanding 50 lakh rupees and all the gold and are saying that if this is disclosed to the police then we would kill Now we have to you and have you. presented you a written application of the entire incident. Take appropriate action on my application and my father should be searched and recovered. Sd Applicant Gaurav Gupta.”

3. Pursuant to the registration of the FIR, during the course of the investigation, it was found that Bhim Sain @ Bhima, accused Aman Kumar @ Sonu (since granted bail vide order dated 12.05.2025 in CRM-M-13725-2025) along with Rahul, Pawan, Parminder Singh @ Sidhu (since granted bail vide order dated 28.07.2025 in CRM-M-29597-2025), Pankaj and Raj Kumar @ Raju had committed the offences in question.



4. The learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case. Co-accused of the petitioners namely, Aman Kumar @ Sonu and Parminder Singh @ Sidhu have been granted the concession of bail. As the petitioners are in custody since 09.08.2023 but only 10 of the 36 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, they are entitled to the concession of bail.

5. The learned State counsel on the other hand has filed separate replies in both the cases by way of affidavit dated 13.08.2025 of Mr. Harvinder Singh, HPS DSP, Bilaspur, District Yamuna Nagar in the court today which is taken on record. Whiel referring to the reply be contends that petitioners along with their co-accused committed grave offence and are therefore, not entitled to the concession as prayed for. He however, concedes that the petitioners are in custody since 09.082023 and only 10 of the 36 prosecution witnesses have been examined so far.

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

7. The veracity of the prosecution case against the petitioners and their co-accused shall be adjudicated upon during the course of the trial. Admittedly, the petitioners are stated to be in custody since 09.08.2023 and only 10 of the 36 prosecution witnesses have been examined so far. Therefore, their further incarceration is not required.

8. Thus without commenting on the merits of the case, the present petitions are allowed and the petitioners-**Bhim Sain** son of Sh. Nar Bahadur and **Pankaj** son of Sh. Rajesh are ordered to be released on bail subject to their furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petitioners (or anyone on their behalf) shall prepare FDR in

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the sum of Rs.1,00,000/- each and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from trial without sufficient cause.

10. The petitions stand disposed of.

**(JASJIT SINGH BEDI)
JUDGE**

August 21, 2025

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>