



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

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CRM-M-35527-2025

Date of decision: 14<sup>th</sup> July, 2025

Ravi

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

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**MANISHA BATRA, J (ORAL):-**

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.502 dated 25.12.2024 registered under Sections 308(5), 351(3), 238 and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Rajendra Park, Gurugram, Haryana.

2. The above mentioned FIR was registered on the basis of a complaint lodged by the complainant –Nikhil Sharma alleging therein that he was involved in the business of manufacturing broadband and was running a office in Sector-102, Gurugram. On the evening of 16.12.2024, he received a whatsapp message on his phone. After sometime, he received a whatsapp call from the same number and the caller while introducing him



as one Tiger told the complainant that he was a member of gang of gangster Rohit Godara and demanded a sum of Rs.50 lakhs while extending threat that recce of his son, house as well as office was done by other members of his gang. The complainant told him that he did not know any person with the name of Rohit and then caller started saying that they were the persons, who had used grenades in a club in Gurugram sometime back and also extended threat to kill the complainant if money was not given. On the next day also, the same caller made a call to the complainant and demanded a sum of Rs.5 lakhs. The complainant kept the amount of Rs.5 lakhs in a bag and kept it in the informed place. He saw a youth while taking away that bag. On the next morning also, he received a call from same mobile number and the caller raised demand of more money. While apprehending danger and save his family members and himself, he prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated. On 27.12.2024, the petitioner and co-accused Amit and Mohit Kumar were apprehended on the basis of a secret information and were ultimately arrested. They suffered disclosure statements on interrogation and admitted their involvement in the subject crime. Offences under Sections 61(2) and 238 of the BNS were added. Investigation now stands completed and challan has been presented.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. There is delay of nine days in reporting the matter to the police. The disclosure statement suffered by the co-accused cannot be considered to be admissible in evidence against him. The extortion call was not made by him but as per



the prosecution case, it was given by the co-accused Amit, who has since been extended benefit of bail. The complainant refused to participate in the test identification parade. No recovery has been effected at his instance. Co-accused Jagat and Mohit have also been extended benefit of bail. On parity, he too deserves to be given the same benefit. Therefore, it is, urged that he deserves to be extended benefit of 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 gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner in connivance with the co-accused is alleged to have made efforts to extort money from the complainant by making threatening calls to him. The co-accused are alleged to have conducted reiki in office of the complainant. The petitioner was not named in the FIR. Though, he is alleged to be a main conspirator, however, it is only on the basis of thorough assessment of the evidence to be produced during trial that any definite finding can be given in this regard. He has been in custody since 27.12.2024. Trial will take time. Co-accused have been extended benefit of bail. In the considered opinion of this Court, no useful purpose would be served by detaining the petitioner in custody anymore. Keeping in view the period of incarceration of the petitioner, the nature of subject offence and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion 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/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**14<sup>th</sup> July, 2025**

*Parveen Sharma*

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*  
: *Yes / No*