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

CRM-M-13242-2024

Date of Decision:29.04.2025

Ravinder alias Dev alias Bholu

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. S.K. Tripathi, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.418 dated 12.09.2023 registered under Sections 365, 370, 120-B of IPC (Sections 370/120-B of IPC has been added later on), at Police Station SGM Nagar, Faridabad, District Faridabad.
2. The FIR in the present case was registered on the basis of the statement made by Sunil Kumar son of Agnu and the same has been reproduced below:-

*“To Chowki Incharge Town No.3, NIT Faridabad.
Sir, it is a request that I am Sunil Kumar Son of Agnu, resident of
Village Thanpur, Tehsil Hydergada, District Barabanki (UP),
tenant half, D-12 Anagpur Dairy, Near Sanatan Dharma Mandir,
Sector 37, Faridabad. On 11.09.2023 at around 2 AM, my wife
Anita who was expected to be delivered a child, I had taken her to
the BKH Hospital. At around 03:30 AM, my wife gave birth to a
son and after delivery, Dr. Saheb shifted my wife to ward No. 103.*”

After having dinner at 10:00 PM, I came down to the waiting area to sleep. When I reached my wife Anita in the morning on 12.09.2023, I saw a lady wearing a yellow coloured flower suit. She was feeding my son in her lap. I asked my wife who is she? then my wife told that she has performing her duty in the ward. I went down to have tea and at about 07:45 AM my mother Ram Dehi came crying and met me downstairs and told me that the woman was feeding the child. She told me to get your daughter-in-law's clothes to change. When I went to the bathroom to get Anita's clothes to change and came back after getting her clothes to change, that woman was not in the ward and neither was my child. This unknown woman took my child with her and till now we kept searching here and there but could not find it anywhere and now I have come to report it. After registering my report, my child should be searched and that woman should be given the hardest punishment, it will be so kind of you. Sd/- Applicant Sunil Kumar 8368384712, 9811445441.”

3. Learned counsel for the petitioner submits that the petitioner was not initially named in the FIR and has been wrongly arrayed as an accused only on the basis of the suspicion. He further contends that the petitioner was arrested in the present case on 09.01.2024 and is in custody for the last more than 01 year and 03 months. The final report under Section 173 Cr.P.C. has already been presented against the petitioner. He further contends that the main prosecution witnesses i.e. PW-1-Sunil Kumar and PW-2-Ram Dehi, mother of the complainant have already been turned hostile. By referring to the orders passed by this Court in CRM-M-11624-2025, CRM-M-65176-2024, CRM-M-15030-2025, learned counsel further contends that similarly placed co-accused,

namely, Pooja, Priyanka and Soni@ Jyoti have already been admitted to bail by this Court.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are 14 other cases registered against the petitioner and he does not deserve the concession of bail by this Court

5. I have heard the learned counsel for the parties and perused the record.

6. It is not in dispute that similarly placed co-accused, namely, Pooja, Priyanka and Soni@ Jyoti have already been admitted to bail by this Court. Thus, the conclusion of the trial may take quite a long time and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

(v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*

(vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

29.04.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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