

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

CRM-M-15470 of 2015.

Date of Decision: June 29, 2015.

Sukhwinder Singh

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Jashandeep Singh Sandhu, Advocate for the petitioner.

Mr. A.S. Klar, Assistant Advocate General, Punjab.

SNEH PRASHAR, J.

This petition was filed by Sukhwinder Singh son of Swaran Singh for grant of anticipatory bail in case First Information Report No.100 dated 22.04.2015 under Section 365/34 of the Indian Penal Code (in short, "I.P.C.") registered at Police Station Kotwali, District Bathinda.

According to the prosecution, daughter of complainant Pali Singh resident of Jagir Fauji Wali Gali, Kikar Dass Mohalla, Bathinda, who was aged around 20 years was missing since 18.04.2015 after she had gone to Chhaju Wala Gurudwara Sahib to pay obeisance at around 7 p.m. In his complaint to the police lodged on 22.04.2015, Pali Singh had stated that on 21.04.2015 he had come to know from his brother-in-law Nanak Singh that on 18.04.2015 he had seen Vicky son of Rattan Singh alias Lambu and

Sukhwinder Singh alias Sethi (petitioner) forcibly taking his daughter in a white coloured car when she was passing from the street near Gurudwara Sahib. It was then found that Vicky and Sukhwinder Singh were also not available at their houses. As such, he firmly believed that his daughter had been kidnapped by them in collusion with Rattan Singh, Darshan Kaur, Sunny, Satwant Singh and Amritpal Singh alias Gaggu etc.

Heard the submissions made by Mr. Jashandeep Singh Sandhu, learned counsel representing the petitioner and Mr. A.S. Klar, learned Assistant Advocate Advocate General.

Learned counsel for the petitioner asserted that the First Information Report regarding missing of his daughter was got registered by complainant Pali Singh after four days and there is no explanation for the delay. The petitioner had no role to play in the incident and has been roped in falsely on the basis of statement of Nanak Singh who is none other but brother-in-law of the complainant. It appears improbable that when Nanak Singh had seen some persons forcibly taking the daughter of the complainant in a car, he took no step to immediately inform the complainant about the occurrence. Learned counsel further contended that it was a case of love affair between Seema and Vicky who eloped on their own and the petitioner has been falsely implicated.

Learned Assistant Advocate General, Punjab opposed the prayer of the petitioner for being given the benefit of anticipatory bail. He submitted that till date the whereabouts of daughter of complainant Pali Singh are not known and it is the petitioner who helped and connived with

Vicky to kidnap the girl. During investigation, the call details collected by the investigation agency clearly show that the petitioner was present near the vicinity of the Gurudwara Sahib from where the daughter of the complainant was kidnapped.

The petitioner was specifically named as one of the kidnappers in the First Information Report. The call details of the petitioner collected during investigation allegedly attribute active participation to petitioner in the occurrence. The whereabouts of the girl kidnapped are still not known. Hence, considering the aforesaid facts and circumstances and without going into the merits and least any expression above may prejudice the case of either side, in my considered opinion, no case for granting concession of anticipatory bail to the petitioner is made out and the petition is dismissed.

(SNEH PRASHAR)
JUDGE

June 29, 2015

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