

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

CRM-M-14633 of 2016 (O&M)

Date of decision : 13.07.2016

Jamshed

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S. S. Bawa, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana
assisted by ASI Mahender Singh.

Mr. Rakesh Gupta, Advocate
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.734 dated 02.12.2015, registered under Sections 342, 344, 365, 355, 364-A, 368, 506, 120-B of the Indian Penal Code (for short 'the IPC'), at Police Station Nuh, District Mewat.

The learned counsel for the petitioner contends that neither the petitioner named in the FIR nor in the statement recorded under Section 164 Cr.P.C. The petitioner has been falsely implicated in the present case being the employee of the co-accused-Sirajuddin. The alleged detainee is in fact son-in-law of one of co-accused Ayya Khan. The dispute is going on between said Ayya Khan and the complainant and the petitioner has nothing

to do with the same.

On the other hand, the learned State counsel submits that the father and brother of the complainant is in illegal confinement for about 14 days. The complainant was constrained to approach this Court by way of Criminal Writ Petition No.1755 of 2015, wherein the report was submitted by the warrant officer. Though, raid was conducted, however, the petitioner removed the detinue to some other location. The learned State counsel further submits that 4 persons have been named as accused, however, during the course of investigation, it emerges out that in fact there are 8 accused involved in the matter and out of them, 3 are yet to be arrested.

Heard.

During their confinement, the detinue were forced to wear the ladies apparel and to sweep the village streets.

Keeping in view the serious allegations and the fact that the charges have not been framed, no case for bail is made out particularly when the co-accused are yet to be arrested.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

13.07.2016

ashok

(JITENDRA CHAUHAN)
JUDGE