

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

CRL. MISC. No.M-18276 OF 2016
DATE OF DECISION : 1ST AUGUST, 2016

Gulshan Kumar @ Bittu

.... Petitioner

Versus

State of Punjab

.... Respondent

CRL. MISC. NO.19028 OF 2016

Parveen Kumar @ Sethi

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. Rajiv Vij, Advocate for petitioner-Gulshan Kumar.
 Mr. Karan Singh, Advocate for petitioner-Parveen Kumar
 Mr. Shilesh Gupta, Additional Advocate General, Punjab.
 Mr. Jagjit Singh, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed the present petitions under Section 439 Cr.P.C. seeking regular bail in FIR No.252 dated 25.09.2015 registered under Sections 384, 364A, 365, 420 & 120-B IPC and Section 25 of the Arms Act at Police Station Patran, District Patiala.

Heard learned counsel for the rival parties.

Following is the role attributed to the petitioners:

“Thereafter, Gulshan kumar in connivance with Sandeep Kumar took Davinder Singh on their motorcycle on the out cuts of Village Saigo and then

as per conspiracy Sohan Singh @ Soni, Rajesh Kumar @ Raju, Parveen Kumar Sethi, Karnail Singh & Hoshiar singh abducted Davinder Singh in an Indigo Car of Karnail Singh accused. Thereafter, they make a ransom call to the sister of Davinder Singh demanding Rs.3 ½ Lacs. Thus, Gulshan Kumar was the main person who planned the conspiracy and played a kingpin role in abducting Davinder Singh.”

On perusal of the reply, I find that there is no direct evidence against the petitioners so far as making of ransom call is concerned, though the petitioners are said to have aided the abduction. Since the challan has been filed in the Sessions Court at Patiala and the trial will take place there, no useful purpose will be served by continuing the detention of the petitioners in jail. The trial will take its own time to conclude. At the same time the interest of prosecution should also be safeguarded.

Learned counsel for the petitioner states that the petitioners would not enter the limits of the District Patiala during the pendency of the trial, except the date of appearance before the Sessions Court and would report the concerned Police Station. He further undertakes that the petitioner would not apply for modification of the condition not to enter the District Patiala at any point of time till the trial is completed.

Acting on the statement, I am intended to grant bail to the petitioners. Hence, I make the following order:

ORDER

- (i) The petition is allowed.

- (ii) The petitioner be released on bail to the satisfaction of the concerned Trial Court.
- (iii) The petitioner shall not enter the limits of the District Patiala except the date of appearance before the Sessions Court.
- (iv) The petitioner shall not apply for modification of the above condition to stay out of District Patiala till the trial is over as per the statement made.
- (v) The petitioner shall not tamper or influence the prosecution witnesses.
- (vi) The petitioner shall report to the concerned Police Station on every last Sunday of the month from 10.00 am to 1.00pm.
- (vii) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

1ST AUGUST, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No.