

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

CRM-M No. 24365 of 2017

DATE OF DECISION :- December 12, 2017

Sukhdev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Ms. Jaideep Kaur, Advocate
for Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

This petition for regular bail has been filed by Sukhdev Singh, an accused in F.I.R. No. 63 dated 22.8.2015 under Section 364-A with Section 120B of the Indian Penal Code, added later on registered with Police Station , Mukandpur, District S.B.S. Nagar.

Briefly stated the facts of the case as per prosecution story are that complainant Jinder Singh son of Baljit Singh belonging to village Mukandpur, presently residing in England had telephonically informed the police of Police Station Mukandpur on 22.8.2015 stating that his father Baljit Singh, who was residing alone at village Mukandpur had been kidnapped by Jaspreet Singh son of Chuur Singh resident of Village Garcha Rahon, SBS Nagar on 21.8.2015 for the purpose of ransom and Baljeet Singh was being confined at a undisclosed place. He had further informed that he came to know about the matter when Jaspreet Singh rang him up

from his mobile phone at his mobile phone demanding a ransom of ₹1 crore to be deposited in bank account threatening that in case of such demand being not met, physical harm would be caused to Baljit Singh. Jaspreet Singh had made Baljit Singh talk with Jinder Singh that Jaspreet Singh and his accomplices had kept him hidden at an undisclosed place.

Formal F.I.R. on the basis of that information was registered. The police party had raided tubewell motor room in the agricultural fields and Baljeet Singh was found confined in that room. Accused Jaspreet Singh along with his accomplices Jatinder Singh and Prince Preet Singh present there also were arrested. Baljit Singh was got medico legally examined, since it was alleged that he had been beaten up by the kidnappers. The role attributed to the present petitioner is of being part of conspiracy for kidnapping of Baljit Singh. Sukhdev Singh had been declared as proclaimed offender since he could not be arrested. He is behind bars since 1.5.2017. He had moved an application for regular bail in the Court of Sessions but was unsuccessful there as such he has approached this Court praying for grant of similar relief. Notice of that application was given to the State.

Learned State counsel has placed on file custody certificate of the petitioner showing that he has undergone 7 months and 9 days as an under trial. He is not shown to be involved in any other case. As per copy of order passed by District and Sessions Judge, Shaheed Bhagat Singh Nagar on 8.9.2015, co-accused of the petitioner namely Jaspreet Singh, Princepreet Singh and Jatinder Singh had been granted regular bail.

I have heard learned counsel for the petitioner, learned State counsel besides going through the record.

As per prosecution itself, the petitioner was not directly involved in the incident of kidnapping and demanding ransom and role attributed is being part of the conspiracy for commission of that crime.

The trial is likely to take some time. Other co-accused of the petitioner are stated to be on bail. I find that it would be in fitness of things if the present petition is allowed. The petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Shaheed Bhagat Singh Nagar subject to the following conditions : -

- (i) He shall appear in the Court on each and every date of hearing.
- (ii) He shall not give any threat or intimidation to the prosecution witnesses.
- (iii) He shall not leave India without prior permission of the Court.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

(H.S. MADAAN)
JUDGE

December 12, 2017

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No