

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

CRM M-37090 of 2016

Date of decision : 07.03.2017

Mohinder Gupta

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. V. Ramswaroop, Addl. A.G. Punjab.

RAJAN GUPTA J.

This is a second petition under section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 80 dated 12.10.2014 under sections 364-A, 295-A, 420, 465, 473, 506, 34, 120-B IPC and section 66 of I.T. Act was added later on at police station Division No. 6, Jalandhar.

Learned counsel for the petitioner has argued that petitioner has been in custody for a considerable period. He submits that petitioner has been falsely implicated in the instant case. According to him, no recovery has been effected from the petitioner. Thus, he deserves to be enlarged on bail.

Learned State counsel has opposed the prayer. He submits that there are specific allegations against the petitioner. Recovery of car used in commission of crime was effected from the house of petitioner.

I have heard learned counsel for the parties.

FIR was registered on the statement of Satnam Singh @ Satta who stated that his seven years old son namely Gurdeep Singh @ Gopi while playing with his sister Manpreet Kaur in a park was kidnapped. Thereafter, child was recovered on 21.10.2014 from Aligarh (U.P.) Investigation ensued and petitioner was found involved in the crime. Recovery of alto car which was used for kidnapping was effected from the house of accused Mohinder Gupta. During investigation, even child has disclosed the names of kidnappers as Mohinder Gupta (petitioner herein) and one Kamal. Trial is still at its crucial stage. Petitioner is, thus, not entitled to be enlarged on bail. Petition is dismissed at this stage.

March 07, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No