

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

(1)

**Crl. Misc. No.M-6763 of 2017 (O&M)
Date of Decision: March 22, 2017.**

Paramjit Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

(2)

Crl. Misc. No.M-39830 of 2016 (O&M)

Manjit Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vaibhav Narang, Advocate
for the petitioner in CRM-M-6763-2017.

Mr. Sumeet Goel, Advocate
for the petitioner in CRM-M-39830-2016.

Ms. Bhavna Gupta, D.A.G., Punjab.

Mr. Premjit Singh Hundal, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

This order will dispose of both the aforementioned petitions
filed under Section 439 Code of Criminal Procedure for grant of regular bail
to petitioners Paramjit Singh and Manjit Singh in case FIR No.403 dated
20.08.2016, registered for offences punishable under Sections 364, 364-A

read with Section 149 and 120-B of Indian Penal Code, at Police Station Civil Lines, Amritsar.

Heard.

As per allegations in the FIR, Amandeep Singh Chandi was kidnapped on 19.08.2016 by three persons, who were in Innova car. The matter was reported to the police by his brother Pardeep Singh Chandi and he suspected that his brother had been kidnapped for ransom.

The police apprehended accused Varun Sareen, Manjit Singh, Jasminder Singh @ Jassi, Paramjit Singh, Mangal Singh and Manmohan Singh @ Mani on 20.08.2016 and recovered Innova and Pajero cars. Amandeep Singh Chandi was found with petitioners and their co-accused. Two mobile phones of the kidnapped person Amandeep Singh Chandi were recovered from possession of accused Jasminder Singh @ Jassi.

Learned counsel for the petitioners have argued that petitioners have no role in this abduction. Accused Varun Sarin was employee of Amandeep Singh Chandi and both were also partners in a firm Viva Media Pvt. Ltd and Local Ad Clicks. Varun Sarin was General Manager of the said companies. Due to the business dispute between them, petitioners have been falsely implicated in this case as they had mediated to resolve their dispute. In fact, Amandeep Singh Chandi had snacks with accused at M.J. Hotel, Tarn Taran road on 19.08.2016 and thereafter, they were together for settling their monetary dispute. The entire occurrence was later on concocted to give it a ting of kidnapping. Statements of complainant and his brother have since been recorded by the Court. The petitioners are in custody since 20.08.2016. Petitioner Manjit Singh is a petty official in CBI

and petitioner Paramjit Singh is a small businessman, having no previous adverse antecedents.

Learned counsel for the complainant and learned State counsel have argued that the petitioners were associate of a gang which kidnapped Amandeep Singh Chandi. The trial is in progress and keeping in view the gravity of the charges against the petitioners, they cannot be extended the benefit of bail at this stage.

The complainant and main witnesses have already been examined. Main allegations are against other accused named by the complainant and not against petitioners. Keeping in view the facts and circumstances of the case but without expressing any opinion on merits, both the aforesaid petitions are allowed. Petitioners are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

March 22, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No