

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

CRM-M-13063-2018

Date of decision:-11.5.2018

Satish

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr.Jitender Dhanda, Advocate
for the petitioner.

Mr.Gaurav Bansal, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner –
Satish – an accused in FIR No.249 dated 21.6.2013, under Sections 346,
363, 365, 370(4), 120-B IPC, registered at Police Station Barwala.

Briefly stated, the facts of the case as per prosecution story
are that the criminal machinery in this case was set into motion by
complainant Jaibir Singh, who in the statement made by him to the police
stated that his nephew Pankaj son of Rajesh, aged about 6 years was

missing since 16.6.2013 and could not be traced despite best efforts. After registration of the formal FIR, the matter was investigated but no clue could be found, as such an Untrace Report was submitted in the Court on 27.9.2013. However, the local police got some clue regarding the matter, Pankaj was recovered and was produced before Illaqa Magistrate, where his statement under Section 164 Cr.P.C. was recorded. Accused Savitri was arrested in this case on 24.7.2017. She was interrogated during the course of which, she disclosed that on 16.6.2013 at about 1:30 p.m., she along with her co-accused Situ @ Narender, Kapil and Satish(present petitioner) had kidnapped Pankaj and then Pankaj was given to Bala, resident of Rohtak, on her agreeing to pay Rs.2,50,000/-, however, Bala could actually pay only Rs.25,000/- which was distributed by all the culprits amongst themselves. Offences under Sections 363, 365, 120-B, 370(4) IPC were added in the FIR, which was originally under Section 346 IPC. Custody of Pankaj was handed over to his relatives.

On 26.7.2017, accused Satish and Kapil were arrested, whereas their co-accused Situ @ Narender was arrested on 23.9.2017. The petitioner had filed two applications for regular bail in the Court of Sessions, which were declined by learned Additional Sessions Judge, Hisar, the second one on 21.3.2018, as such, he has approached this Court with the same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

The allegations against the petitioner are very grave and serious of being part of the conspiracy to kidnap a minor child and then to sell him off. Such type of persons indeed pose a big threat to the children and a check has to be provided on their activities. There are reasonable chances of the petitioner tampering with the prosecution evidence and absconding, if granted bail.

Therefore, finding no merit in the petition, the same stands dismissed.

11.5.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No